



STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

www.bpu.state.nj.us

CLEAN ENERGY

IN THE MATTER OF THE
VOLUNTARY GREEN POWER
CHOICE PROGRAM

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ORDER OF APPROVAL

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DOCKET NO. E005010001

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(SERVICE LIST ATTACHED)

BY THE BOARD:

On February 9, 1999, the Electric Discount and Energy Competition Act (EDECA), N.J.S.A. 48:3-49 et seq. was signed into law. Pursuant to EDECA, the Board of Public Utilities (Board or BPU) adopted Renewable Energy Portfolio Standards (RPS), set forth in N.J.A.C. 14:4-8.1 et seq. which require that energy suppliers and providers of electricity to retail customers in New Jersey include in their electric energy portfolios minimum percentages of electricity generated from renewable energy sources. In addition, Recommendation number 9 of the Governor's Renewable Energy Task Force Report, dated April 24, 2003 states:

"The Task Force Recommends that the BPU working with suppliers, utilities and other stakeholders, develop a statewide program that would offer retail electric customers the option of selecting an energy product or products with a higher level of renewable energy than is required by the RPS. This option should be available to all retail electric customers in the state via a sign-up option on utility bills. Green power sales in this voluntary program must use renewable energy that is not otherwise used to meet a supplier's RPS requirements and should include full disclosure of the power supply mix utilized by the suppliers participating in the program.

This program, which would allow customers to select a product with even greater renewable energy content at a potentially higher cost than basic generation service, would provide additional incentives for the development of renewable energy facilities throughout the region."

By Order dated January 12, 2005, in the above captioned matter, the Board accepted, for discussion and comment, a Proposal for the New Jersey Voluntary Green Power Choice Program (the "Draft Proposal"). The New Jersey Voluntary Green Power Choice Program ("Final Program" or "Program") is attached hereto as Exhibit A and has been presented for the Board's consideration and approval.

On February 10, 2005 the Board hosted a public hearing presided over by Commissioner Frederick Butler to accept comments on the Draft Proposal. The Board also accepted written comments submitted no later than February 18, 2005. The Board received approximately 105 written comments from fourteen stakeholders by the February 18, 2005 deadline in addition to the 9 comments offered at the public hearing. All comments have been fully considered and Board responses are set forth in Exhibit B "Stakeholder Comments and Board Response" and, therefore, are not set forth at length in this Order.

The Final Program sets forth a Program for the Board and Office of Clean Energy (OCE), in conjunction with the electric distribution companies (EDCs), to develop and implement a voluntary retail program that will provide consumers an option to support the development of renewable energy beyond the levels established by the Renewable Portfolio Standards (RPS) and foster the development of a competitive marketplace for renewable energy in New Jersey. Specifically, the goals of the Final Program are: 1) empower individuals to make choices about their energy use and to participate in the market for renewable energy; 2) expand markets for renewable energy and related certificates; and 3) expand customer access to clean, renewable energy products.

This Board Order details those areas in which stakeholder comments recommended a change from the Draft Proposal, which has been addressed in either the Final Program or responded to in the "Stakeholder Comments and Board Response" (Stakeholder Comments). The Final Program applies to four New Jersey's electric distribution companies (collectively referred to herein as "EDCs") which included; Public Service Electric and Gas Company (PSE&G); Rockland Electric Company (RECO); Jersey Central Power & Light Company (JCP&L); and Conectiv Power Delivery (Conectiv). In addition, New Jersey Natural Gas (NJNG) has expressed an interest in promoting the Program to its customers.

Each comment is summarized by stakeholder in Exhibit B, followed by the Board's response, organized by the following subject areas: "Roles and Responsibilities"; "Compensation and Cost Recovery"; "Green Power Marketer Qualifications"; "Green Power Marketers Enrollment and Application Process"; "Consolidated Billing"; "Product Standards and Eligible Resources"; "Certification and Verification"; "Customer Account Information"; "Program Marketing"; "Performance Benchmarks and Reporting"; and "Program Timeline."

DISCUSSION

The Board and OCE are committed to implementing a statewide Green Power Choice Program that offers the same green power services to all customers across New Jersey. Offering the same products statewide will reduce marketing costs and enhance ease of marketability of the NJ Green Power Choice Program statewide by all Program participants. Several stakeholders commented on the desirability of this type of Program.

The Final Program sets forth a program design in which participating EDCs will provide operational support for consolidated billing and basic consumer information services to announce the program. Consolidated billing, as provided to Third Party Suppliers (TPS), is a critical program component which can help GPM overcome current market barriers for retail green power choice. Through consolidated billing, the customer can make a single monthly payment to the EDC (the provider of BGS) to cover the utility's electric service and the renewable energy Program cost. This model makes participation simpler for the customer and Green Power Marketers (GPM) can maintain direct interaction with their customers through direct mail. Without consolidated billing, there is little basis for a statewide voluntary retail program as recommended by the Governor's Renewable Energy Task Force. Furthermore, because this service is being offered using the same platform and line item as that used for TPS, it is not possible at this time to offer consolidated billing for both TPS and GPC in a cost-effective manner.

As detailed in the Program, GPMs will be required to execute a Billing Service Agreement with each Electric Distribution Company (EDC) prior to subscribing customers. TPS customers will not be able to access the Program through their EDC, although they still have the option to procure Renewable Energy Certificates (RECs) directly through a GPM. The OCE, as Program Administrator, will provide the specified services noted in the Final Program through standard procurement and contracting procedures as required by the State of New Jersey, Department of Treasury.

Although the utilities differ in their perspectives on the elective role they may play in relation to consumer education, marketing and program promotion, Board Staff recommends the EDCs enable the program by providing consolidated billing services and limited consumer information support services to announce the program. Considering the EDCs strong customer relations with ratepayers and experience in educating consumers about energy issues, Board Staff anticipates that EDCs may, at their discretion, promote the program in a manner appropriate to their prescribed role and interests. Per the comments received, Staff also recommends that the Board extend cost recovery for baseline services described below to New Jersey Natural Gas and other interested gas utility companies, which can play an important role in promoting clean energy resources to additional customers. The GPC Program, as noted above, also specifies the appropriate contracts and agreements governing roles and responsibilities, including the use of a single GPM / EDC Billing Service Agreement.

The Final Program includes language on Cost Recovery, authorizing the EDCs to utilize deferred accounting for the "reasonable, prudent and incremental expenses" incurred in implementing the baseline program which is detailed in the Program. Such reasonable, prudent and incremental expenses shall be subject to review and approval by the Board and after Board review and approval, such expenses shall be eligible for recovery through the Demand Side Management (DSM) Clean Energy Program - Societal Benefits Charge.

The elements of the baseline program to be implemented that will be eligible for cost recovery through the Societal Benefits Charge (SBC) as outlined in the Final Program are defined as:

- Electronic Data Interchange (EDI) Costs: Incremental EDI costs associated with the GPC Program to develop and support the electronic exchange of customer data (e.g. usage and billing, payment, enrollment, drop, etc.) between the EDC and the GPM, costs associated with EDI testing for GPM and the costs associated with the development of protocol for data exchange with EDC and GPM;

Information Technology (IT) Costs: Incremental IT costs associated with developing and providing training associated with GPC Program for services that allow for consolidated utility billing for GPC customers as well as the design and implementation of IT solutions to serve GPC customers. IT costs may include the development and maintenance of website based content and information about the GPC Program;

Training Costs: Incremental training costs associated with developing and providing training associated with the GPC Program for call center and all personnel who will support the program;

Program Management Costs: Incremental program management costs associated with development, administration and operation of the GPC Program including the incremental costs for personnel necessary to implement and manage the EDC's operational role; and

Bill Insert and Ballot Costs: Incremental production and mailing costs for bill inserts and ballots associated with the GPC Program as well as any additional postage costs, if applicable (e.g., if insert takes the bill over an ounce in weight).

Staff also recommends the Board further direct the OCE to elicit detailed estimates of baseline program implementation costs from the EDCs after Board approval of the Final Program.

The participating EDCs have provided OCE a general estimate of costs for billing system modifications and will provide a more detailed estimate of program implementation costs upon approval of the Final Program. BPU has contracted a technical EDI consultant to work with the EDCs to assess the necessary billing system modifications and related costs. Given the voluntary nature of the program, Staff recommends no specific caps for recoverable costs be implemented at this time, as such caps could hinder utility participation. Staff recommends caps on recoverable costs be considered once the program is fully implemented, with utility baseline services established and offered on a continuing basis.

Utility representatives point to the need to strengthen minimum creditworthiness requirements on par with the GPM obligation to procure RECs in order to protect consumers and other participants in the event of GPM default. Green power marketers commented that standards and rules governing GPM were more stringent than those for Third Party Suppliers which could deter suppliers from participating in the program. Staff recommends at a minimum \$25,000 be set as the required security bond which is approximately one month of REC sales. This amount should be adjusted for each GPM based on its participation rate and its monthly REC requirements.

GPM qualification criteria is modeled after the BPU's current licensing standards for Third Party Suppliers (N.J.A.C. 14:4-2, 4-3, 4-4, 4-8(c)), with the exception of those financial assurance requirements pertaining to a Load Serving Entity, specifically N.J.A.C. 14:4-2.6(a) and 14:4-2(e). Staff recommends the Board amend the Third Party Supplier regulations, after approval of this Final Program, to incorporate distinct GPM criteria and license requirements. Staff recommends that the standards and rules for GPM qualification should be comparable to those for a competitive supplier but should ensure and protect EDCs and consumers from supplier default and risks associated with the GPM's obligation to deliver RECs on the customer's behalf. Staff recommends that the Board further review and consider requirements for the surety bond or equivalent financial instrument, as applicable, for GPMs.

GPMs generally noted that the Draft Proposal's "2 year term participation requirement" and proposed annual open enrollment process could limit supplier participation and recommend that a more flexible design be adopted that allows GPMs to respond to market conditions. In response to those comments, the OCE has eliminated the "2 year term of participation" requirement in the Final Program. Instead, the Final Program allows for annual open enrollment by a specified date for the first year of the program and thereafter allows for rolling enrollment in successive years. GPM criteria and requirements were set as a means to ensure their commitment and to balance the desire for a program open to all interested GPM with the needs for simplicity and ease of administration. Considering GPM needs to be able to respond to the market along with consumer interests and Program needs for consistency and ease of administration, particularly in the first year of the program, eliminating the 2 year term for participation facilitates these goals.

Staff recommends the Board direct the OCE to contact prospective GPMs, to notify them of the opportunity to participate in the Program, and to ask them to enroll by a specified date. After the first year, GPMs will be able to enroll at any time provided they meet all the GPM criteria and requirements. While the OCE and Board strongly support GPM investment in Program marketing beyond the activities funded by the OCE and the EDCs, the Board recognizes that each GPM will have its own unique competitive position and strategy to build its consumer base. The Working Group recommended that in lieu of a marketing plan, the OCE should establish performance goals and targets relative to consumer participation rates and set GPM performance requirements to help drive consumer participation and ensure adequate investment. Therefore, Staff recommends that GPM performance requirements be established for the second year of the program based on the number of customers in year one, customer participation targets and the projected growth of the baseline of participating customers.

GPMs commented and provided a number of competing recommendations on product standards. Product options and minimum standards are designed to promote and advance the goals and objectives for New Jersey's Clean Energy Program, as adopted by the Board. The number and type of products offered by each GPM are further specified to minimize Program complexity and possible confusion for the consumer.

The Final Approved Program adopted herein, and other programs currently being developed and implemented by the BPU's Office of Clean Energy, are designed to help advance and promote the construction and operation of renewable energy facilities by reducing barriers to renewable energy and fostering the transition from a market dependent on incentives and mandates to one that is driven by consumer demand and value based pricing. The Voluntary Green Power Choice Program is designed to be consistent with the Renewable Portfolio Standards and recommendations of the Governor's Renewable Energy Task Force which specifically call for the development of new renewable energy facilities within the PJM boundaries. The preference is to allow for GPM flexibility in the sourcing and design of products based on consumer preferences and pricing, in a manner consistent with New Jersey's Renewable Portfolio Standards. The GPC Proposal clearly states that the Board intends to issue an order approving Class I and Class II RECs once the GATS system is operational thus allowing for the use of Class I and Low Impact Hydro (LIHI) or small hydro (less than 30 MW) RECs in the GPC Program. In the event that PJM Environmental Information Services (EIS) Generation Attribute Tracking System (GATS) is delayed, the Board pursuant to its regulations can approve Class I and Class II RECs issued by GATS or some other entity. These provisions will allow for the use of Class I RECs and LIHI or small hydro (less than 30 MW) RECS, as specified in the Voluntary Green Power Choice Program.

By establishing the GPC Program, a secondary voluntary market is created for the sale of RECs to ratepayers who may otherwise not have an opportunity to participate in the renewable energy market. Unlike the RPS which mandates the inclusion of solar, GPC is a voluntary retail program where GPMs compete based on product offerings and consumers decide based on multiple factors including product pricing and content such as solar. A minimum solar content requirement would limit the ability of GPMs to differentiate their products based on solar content and would raise product pricing across the board, thus potentially limiting consumer participation.

Staff does not consider it necessary or desirable to set a minimum solar content standard at this time. However, product standards should allow for the inclusion of solar in a manner that it can compete with other resources in the Program. The Draft Proposal requires that the GPM provide a product that represents 100% of the customer's usage. OCE recognizes that the mandate of a renewable product in the Program which requires 100% usage will likely make it difficult for solar to compete and could price it out of the mix. Staff recommends as a means to encourage the use of solar in product offerings and provide greater flexibility to GPMs in the design and pricing of products according to consumer demands, the Final Program allows 100% renewable energy products of any size to be offered instead of only 100% usage provided that 50% of that product is new (constructed as of 1998).

To ensure that all products clearly support the goal of development of new renewable energy and that consumers' premiums are directed toward new renewable energy sources, OCE also recommends a minimum of 50% new renewable resources (in operation on or after January 1, 1998) for all products. New Jersey's consumer disclosure rules require full disclosure of generation mix but are silent on location of generation. Considering that all products come to PJM in accordance with REC sourcing boundaries and come from within the consumer's power pool, disclosure of generation location is considered optional. Some GPMs may prefer using a "regional mix" while others may prefer to market products based on generation location and appeal to those consumer preferences.

A number of stakeholders requested clarification on issues related to product verification. Verification of RECs is important to ensuring that consumers get what they pay for and that RECs are not double counted or sold twice. The GATS system, which is under development by PJM-EIS, will track RECs for the purpose of verification and is expected to be operational by the third quarter in 2005. The Board has previously approved a loan with PJM-EIS to finance the development and operations of GATS. In the event that GATS is not operational in time for the launch of the program, independent third party verification would be required. This verification would be the responsibility of the GPMs.

The loan agreement between PJM-EIS and the NJBPU specifies that the GATS system is to be operational within 8 months of the execution of the agreement which will provide a basis to track and verify RECs used to meet regulatory RPS requirements and voluntary GPC Program requirements. Staff concludes that such a system is the most cost-efficient mechanism for accounting and verification. A regional tracking system will reduce the administrative burden on suppliers to prove compliance with certain provisions of the RPS and provide a means to verify RECs sold through the GPC Program. GATS will track RECs and verify the resource type, vintage, generation location and other attributes per the users' requests as reported to OCE by GATS. This report will verify the number of RECs sold and retired by a GPM to meet its specific participation obligations in the GPC Program. In addition, EDI transaction reports provide a basis to verify consumer demand at the retail level. GPMs will be required to report to OCE

annually on verification of RECs and the true-up period used to meet obligations in the GPC Program.

Stakeholders offered different opinions and recommendations on who should be served by the GPC Program and points of clarification. Staff concurs with those comments that favor "vigorous customer participation" as the key to achieving the policy objectives of the Program and sees no reason to limit the Program to a single class of customers. Commercial & Industrial customers can serve an important role in driving consumer demand and in building public awareness or recognition of the Program. Currently there are only very limited green power options for customers. The green power market is virtually non-existent to all customers. As the GPC Program grows, the OCE will recommend changes to make it more competitive and market based and available to all customers. However, technical limitations in billing system modifications make it necessary to limit participation to BGS customers only.

N.J.S.A. 48:3-85 currently prohibits utility release of account numbers without the customer's consent. A utility cannot enroll a customer without an account number. The issue of a utility providing an account number 'look-up service' has arisen in context of retail choice and third-party suppliers. Staff recommends that the Board consider revisions to this final program which may also consider revision to appropriate regulations in this regard. Such Green Power Choice Program revision should be consistent with the statutes and successful programs in other states that facilitate customer utility account availability without compromising customer account privacy. Currently, the burden of getting an accurate utility account number is placed on the customer and the GPM. Staff recommends the OCE in conjunction with the Division of Energy, in conjunction with GPMs and the EDCs, work on devising a better solution that resolves problems inherent in the existing system and maintains privacy.

GPMs report that in similar programs in other states, that they experience a significant loss in customer enrollments due to the inability to transfer GPM service in the event of a customer move or relocation within a utility service territory or within the state. GPMs have requested a solution to enable "seamless move" capability to reduce drop out rates and maximize participation rates. Participating EDCs note significant expenses associated with this function, while other stakeholders note the applicability of 'seamless move' capability to other programs and the competitive market. Staff recommends the Board, with the OCE, continue to evaluate this issue as it sets annual goals for the GPC Program.

The Final Program requires OCE to coordinate general GPC Program marketing on the following issues: the establishment of a call center, informational clearinghouse, development of GPC website/webpages, design of the ballot and conducting a public education media campaign. In addition, the Board, with the OCE will continue to evaluate the applicability of GPC services to other programs and market participants.

The Proposal established a Program launch date of 8 months from the Final Board Order approving the program. While most GPM support an aggressive and timely launch, the EDCs requested more time to modify billing systems for consolidated billing and to implement the program. A number of stakeholders commented that a timeframe should also be established for the duration of the program.

This is the first statewide program of this nature involving multiple utilities and multiple green power marketers which will entail significant coordination and planning. Considering utility request for adequate time to implement billing system modifications and the interests of GPMs to launch as early as possible, Staff recommends the Board set a timeline for program launch

ten (10) months from the date of Board Order approving the program but request that OCE consider implementation based on the readiness of individual EDCs and the cost-effectiveness of launching the program, in stages, by service territory. Considering the transformational nature of the Program and the need for long term commitment and investment to achieve them, Staff recommends the Board support establishment of the Program for no less than five years, and to continue thereafter until the Board finds evidence of sustainable competition in the green power market.

FINDINGS AND CONCLUSIONS

The Board HEREBY FINDS the attached Voluntary Green Power Choice Program consistent with the Board's policies to promote and advance renewable energy in New Jersey, HEREBY APPROVES the Voluntary Green Power Choice Program, and HEREBY AUTHORIZES Board Staff to work with the EDCs, GPMs and other interested parties to implement the Voluntary Green Power Choice Program and further DIRECTS OCE to provide the services needed to meet its responsibilities as detailed in the Final Program and consistent with New Jersey law.

The Board HEREBY DIRECTS the Office of Clean Energy, in consultation with the Working Group, to develop targets for customer participation based on review of similar programs and to consider GPM performance requirements and ways to optimize customer participation rates to ensure cost-effectiveness. The Board HEREBY DIRECTS the Office of Clean Energy to elicit detailed estimates of baseline program implementation costs based on service definitions, from the EDCs within 60 days of this Order and that these costs should be tracked quarterly as part of New Jersey's Clean Energy Program reporting. The Board HEREBY DIRECTS the OCE, within 30 days, to contact prospective GPMs to notify them of the opportunity to participate in the Program and to post notifications on the BPU and NJCEP websites, and require GPMs to enroll within 60 days of notice. The Board HEREBY DIRECTS that OCE and the Division of Energy, in consultation with the Working Group, submit to the Board a proposal for account look-up and seamless move capability within one year from the Program launch as set forth in the Final Program.


The Board HEREBY AUTHORIZES reasonable, prudent and incremental expenses as set forth above and incurred by the EDCs and the New Jersey gas utilities, as applicable to their role for implementing the Voluntary Green Power Choice Program, consistent with Board Staff guidance, be deemed eligible for deferred accounting treatment and HEREBY FINDS that such expenses may be recovered through the DSM Clean Energy program - Societal Benefits Charge, after Board review and approval. The Board HEREBY DIRECTS OCE to report to the Board and Clean Energy Council on the overall cost-effectiveness of the Program based on its review of the first year of Program performance and operational budgets, including utility costs eligible for cost recovery within 15 months of the launch of the program, and to report these findings within the NJCEP Annual Report. The Board HEREBY DIRECTS the EDCs and other Program participants to launch the Program, to be ready to enroll and bill GPC customers, by no later than October 1, 2005 unless granted a waiver by the Board. The Board also directs any EDC that cannot meet the October 1st Program launch date to submit a request for a waiver which provides details as to why the Program is not ready to launch by October 1st and a revised Program launch date. The Board HEREBY AUTHORIZES the Program to be for no less than five years, and, thereafter until a finding by the Board of sustainable competition in the


green power market. The Board reserves the right to make such changes to the Program as may hereafter be determined to be necessary as the Program is implemented and during the proposal and adoption of regulations.

DATED:

4/13/05

BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


CONNIE O. HUGHES
COMMISSIONER


JACK ALTER
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities

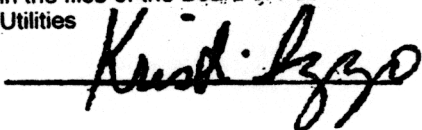


EXHIBIT B
VOLUNTARY GREEN POWER CHOICE PROGRAM
BPU Docket No. EO0501001

Stakeholder Comments and Board Response

Summary of Public Comments and Agency Responses:

The following persons submitted timely comments on the proposal:

- Amy McGinty, Community Energy, Inc (CEI)
- Anne-Marie Peracchio, New Jersey Natural Gas (NJNG)
- Dan Lieberman, Center for Resource Solutions (CRS)
- Elaine A. Kaufmann, New Jersey Division of the Ratepayer Advocate (RPA);
- Emily Rusch, New Jersey Public Interest Research Group (NJPIRG)
- Gregory Eisenstark, Public Service Electric and Gas Company (PSE&G);
- John Holtz, Green Mountain Energy (GME)
- John L. Carley, Rockland Electric Company (RECO);
- Julie L. Friedberg, Thelen Reid & Priest LLP, on behalf of Jersey Central Power & Light Company (JCP&L);
- Randall V. Griffin, Atlantic Electric (AE);
- Roger Schwartz, Mid-Atlantic Power Supply Association. (MAPSA)
- Steve Gabel, Gabel & Associates (GA)
- Thomas Leyden, PVNOW consortium of seven solar electric manufacturers (PVNOW);
- Thomas E. Matulewicz, GeoGenix (GGX) and;
- Wayne Hudders, Pepco Energy Services (PES)

General comments:

Overall comments received by the New Jersey Board Public Utilities, Office of Clean Energy (OCE) support the *Recommendation of the Governor's Renewable Energy Task Force*, dated April 24, 2003 that calls for the development and implementation of a voluntary retail program that will give consumers an option to voluntarily support the development of renewable energy beyond the levels supported by the Renewable Portfolio Standards (RPS) and will foster the development of a competitive market place for renewable energy in New Jersey. Numerous points of consideration and recommendations were received on the effective design and implementation of the Program, which are herein summarized and organized according to sections of the Proposal pertaining to program design elements. These comments primarily represent outstanding issues regarding the proposed program design and implementation for consideration by the Board and the Office of Clean Energy and do not represent the full body of comments or opinions received during the year long period of public consultation. (The full set of written comments received February 18th is available on the BPU website for review <http://www.bpu.state.nj.us>).

Purpose of the Program

The goals of the Program are stated as 1) empower individuals to make choices about their energy use and to participate in the market for renewable energy; 2) expand markets for renewable energy and related certificates and 3) expand customer access to clean, renewable energy products.

- 1 Stakeholder supports establishment of an active and competitive market for renewable energy resources within NJ and throughout PJM. The Company is willing to work closely with other electricity market stakeholders in New Jersey to further develop a competitive market for renewable energy resources. (AE)
2. Agree with the Renewable Energy Task Force's goals to increase the use of clean, renewable energy in the region. New Jersey is almost entirely dependent on coal, gas, and nuclear power to meet our energy needs, and these resources are harming public health, damaging our environment in irreversible ways, and threatening public safety. The best and most effective way to guarantee a cleaner, safer energy future for New Jersey residents is through mandatory requirements on power companies to increase their generation of clean, renewable energy, and so NJPIRG is committed to a renewable portfolio standard of 20% by 2020. A Voluntary Green Power Choice Program, [however] has the ability to give consumers additional opportunities to support clean energy above and beyond the renewable portfolio standard, and for these reasons NJPIRG supports the implementation of a Green Power Choice Program. (NJPIRG)
3. Strongly supports OCE proposal and BPU finding that the program will foster "greater reliance on competitive markets." The Board should make clear that the GPC Program is transitional and transformational, eventually to be withdrawn as robust retail competition returns. (MAPSA)
4. Supports the intent of the original Recommendation of the Governor's Renewable Energy Task Force, dated April 24, 2003. The inclusion of local clean energy within the products available in the GPC Program will improve the State's environment and economic outlook. Given the true choice, we believe consumers will support the inclusion of clean New Jersey electricity within all GPC products. (PVNow)
5. Supports program that fosters the development of a competitively robust market for renewable resources in NJ...Vigorous customer participation is the key to achieving the policy objectives underlying the Voluntary Green Power Choice Program. Accessibility, convenience, low cost, sustained awareness, credibility and reliability are the keys to achieving vigorous customer participation. (GME)
6. Fully supports the development by the New Jersey Board of Public Utilities (BPU) of a Green Power Choice Initiative and commends the BPU for its leadership in developing creative programs to advance the state's public policies in support of renewable energy while continuing to offer additional choices to customers. (NJNG)
- 7 *A statewide, voluntary retail program that offers all retail electric customers the same green power options directly through their utility is the most cost-effective way to expand consumer access and expand the market for renewable energy. While the average rate of participants nationally, across all utility green pricing programs, is estimated to be between 1 and 2 percent, this number represents all is too small to warrant costly / technically elaborate program.....Prior to approval of GPC program BPU should require OCE to conduct a market research study in NJ to gauge customer interest in participation and NJ specific data to guide cost effective program design. (AE)*

BOARD RESPONSE:

The Board acknowledges these comments in support of the standards and affirms its support and commitment to the stated goals of the Voluntary Green Power Choice

Program. The Board believes that an open and competitive market for renewable energy is the best compliment to the RPS rules and most cost effective means of increasing the use of renewable energy. The Recommendations of the Renewable Energy Task Force support this position in requiring that the Board implement a voluntary, statewide program that *would offer retail electric customers the option of selecting an energy product or products with a higher level of renewable energy than is required by the RPS.* This dual approach of regulatory mandates and the establishment of a statewide, voluntary retail program will best meet the Board's goal to develop a renewable energy market in New Jersey that can be self-supporting as soon as possible.

Roles & Responsibilities

Participating utilities will enable the program by providing operational support for consolidated billing and basic consumer information services to announce the program. Utilities differ in their perspectives on the elective role they may play in relation to consumer education, marketing and program promotion.

8. The language referring to a 'strong marketing and operational relationship between Electric Distribution Companies (EDCs) and the participating GPMs' is not consistent with the rest of the Proposal. EDCs will have a very small role in marketing the program – a role limited to distributing initial information and handling initial customer inquiries. The proposal should be amended to reflect corresponding roles and responsibilities. (PSE&G)
9. EDC participation in marketing activities is not mandatory. Language on coordination between OCE and EDCs on Press Releases is inappropriate and should be revised to read: EDCs may, at their discretion, participate in coordinating activities associated with periodic press releases concerning the Program." (PSEG)
10. Role of EDC in competitive Renewable Energy Credit (REC) market should be one of customer education (not providing back office support to suppliers). Supports program that fosters the development of a competitively robust market for renewable resources in NJ but recommends that the Board consider alternative, less costly program design options such as REC customer education effort where GPMs independently market green power REC products and bill customers directly. No specific REC program would be mandated by BPU. (AE)
11. We are willing to both access customers through assorted communications channels and expand the environmental sections of our Web site to support this initiative. Going forward, a continued partnership with both the Office of Clean Energy and the Green Power Marketers can well serve all stakeholders in supporting renewable energy resources and programs. (NJNG)
12. Can help reach additional customers though brand, communication channels and resources to educate customers. Since NJNG can be an effective resource in expanding the awareness and advancement of the program, we respectfully request that the restrictive language in the straw proposal be expended to include participation and cost recovery, if appropriate, be available to both electric and natural gas companies. (NJNG)

BOARD RESPONSE:

The Board appreciates the clarification on the appropriate role for the Electric Distribution Companies who will enable the program by providing consolidated billing services and limited consumer information support services to announce and promote the program. As noted in the Program, EDC logo use is voluntary but will be requested to reflect the affiliation of the EDC and GPMs to the GPC Program and as a basis for establishing credibility and consumer confidence in the Program. To this extent it is

expected that the EDCs logo will be used in general GPC Program materials to promote the Program to their customers. GPM use of EDC logo will be governed by A Secondary Logo Use Agreement. However, considering the EDC's strong customer relations with ratepayers and experience in educating consumers about energy issues, the Board anticipates that EDCs may, at their discretion, choose to go beyond these baseline programmatic responsibilities to promote the program in a manner appropriate to their prescribed role and interests. As suggested, language in the proposal has been clarified to reflect the operational role of the EDCs and their discretionary participation in promotional activities. Language has also been amended to allow for the participation of gas companies who can play an important role in promoting clean energy resources to additional customers.

13. Proposal suggests (2) agreements between EDC and Green Power Marketer GPM – Customer Account Service Agreement and Third Party Supplier Agreement. Use single agreement modeled after Customer Account Services Agreement which governs billing services provided by EDCs to third party suppliers. Incorporate relevant sections from TPS agreement. (SEE Suggested Language for GPM / EDC Billing Service Agreement) (JCP&L)
14. GPM must execute GPM Agreement / Billing Services Agreement with each EDC prior to offering products to customers. Amend proposal to include language (PSEG)
15. Proposal does not consider role of Treasury in contracting. Revise proposal to clarify role of OCE in administration of contracts and contract solicitations, specifically describing the role of Treasury in contract solicitation and management. (JCP&L)

BOARD RESPONSE

The Board appreciates these comments and suggested amendments. The final Program specifies the appropriate contracts and agreements governing roles and responsibilities including the use of a single GPM / EDC Billing Service Agreement as suggested. GPMs will be required to execute a Billing Service Agreement with each EDC prior to subscribing customers. OCE, as Program Administer, will provide the specified services noted in the Proposal through standard procurement and contracting procedures as required by the State of New Jersey, Department of Treasury.

Compensation & Cost Recovery

Participating utilities will be recognized and compensated for their role through the use of New Jersey's Clean Energy Program Funds (CEPFs) through cost recovery of all reasonable and incremental operational costs to implement the baseline program. Comments focused on the need for further clarification on recoverable costs, reasonable limits on costs and the eligibility of New Jersey's gas utilities.

16. Further clarification needed of eligible costs and definition of services. Anticipates that the Board or OCE will accept comments from EDCs regarding costs for which they will seek recovery. The Board would then issue Order approving definition of services, operational costs and the cost recovery mechanism. The Board Order should be added to Program Milestones. (JCP&L)
17. It is important to establish specific EDC activities and tasks that are eligible for cost recovery prior to the EDC incurring costs. Recommends inclusion of the following elements in baseline program services for cost recovery: EDI costs; incremental IT costs; training costs; Program management costs; Bill insert production and mailing; Customer acct look-up if implemented (PSEG)

18. Need for clear, unambiguous cost recovery language in Board Order approving program including statement that "all reasonable and prudent EDC expenditures for GPC Program are fully recoverable through SBC (PSEG).
19. Recommends that eligibility for cost recovery in support of the Program be extended to New Jersey's gas utilities. Public utility companies, other than the electric distribution companies, can serve to boost and reinforce consumer awareness of the Program, and contribute toward the Program's credibility and customer "comfort level," thus raising overall customer participation levels. (GME)
20. NJNG is seeking recovery through the Societal Benefits Charge of expenses that relate to the support of the baseline program and would like to continue to participate in the development of the program marketing, consumer education, and performance based incentives. (NJNG)
21. To protect ratepayers and the Clean Energy Program's other programs, before implementation begins the BPU should be setting a limit on the costs recoverable from the utilities. Experience from setting up similar programs in other states (like Connecticut) has shown that \$3 million is a generous amount of money to budget for the recoverable costs from the utilities. The BPU should make clear to the utilities not only what costs will be considered recoverable, but also clearly outline reasonable caps for those costs. (RPA)

BOARD RESPONSE:

Appropriate language on cost recovery is included in the Proposal accepted by the Board for public comment on January 22nd which authorizes the electric utilities to utilize deferred accounting for the "reasonable, prudent and incremental expenses" incurred in implementing the Program. Such reasonable, prudent and incremental expenses shall be subject to review by the Board at a later point in time, and after Board review and approval, shall be eligible for recovery through the Demand Side Management Clean Energy Program - Societal Benefits Charge. The Board further acknowledges the comments and role that gas utility companies can play in the Program and supports extending cost recovery for baseline services related to customer information and program promotion to include interested gas utility companies such as New Jersey Natural Gas.

The description of elements in baseline program services that will be eligible for cost recovery as outlined in the proposal include: incremental Electronic Data Interchange (EDI) costs; incremental Information Technology (IT) costs; incremental training costs; incremental program management costs; incremental bill insert production and mailing and incremental account look-up and seamless move services, if implemented in the future. The Board further directs the OCE to elicit input on the establish service area definitions and elicit detailed estimates of baseline program implementation costs from the EDCs within 60 days of Board Approval of the Program.

The participating utilities have provided OCE a general estimate of costs for billing system modifications and will provide a more detailed estimate of program implementation costs upon final approval of the Program. Considering this is a voluntary program, caps for recoverable costs at this time could hinder utility participation. BPU has contracted a technical EDI consultant to work with the utilities to better understand and assess the necessary billing system modifications and related costs. Caps on recoverable costs may be considered once the program is fully implemented and utility baseline services are established and being offered on a continuing basis.

Green Power Marketer Qualifications

Utility representatives point to the need to strengthen minimum creditworthiness requirements on par with the GPM obligation to procure RECs in order to protect consumers and other participants in the event of GPM default. Green power marketers commented that standards and rules governing GPM were more stringent than those for Third Party Suppliers which could deter suppliers from participating in the program.

22. Proposal does not address OCE potential recourse in the event of GPM default. GPM Security deposit does not adequately cover risks for default in providing RECs. Even if the Green Power Program enjoys only modest success, it is unlikely that this minimal amount of financial security [\$25,000] will provide the OCE the means necessary to assure performance in the event of a GPM default. Failures carry potentially significant credibility issues for both the program and attribute commodities. The proposal should be modified to require the GPM to post security commensurate with its obligation to purchase RECs (JCP&L)
23. Proposal has several conflicting statements per GPM Creditworthiness requirements. As the Board recently stated in approving less stringent creditworthiness requirements in the context of TPS Agreements: The Board believes that residential customers, who may lack the sophistication or resources to do their own creditworthiness checks, will assume that some other entity, such as the Board and/or the EDC will have provided safeguards to protect them from doing business with TPSs that lack financial viability. (PSEG)
24. At a minimum, set minimum requirements that are separate and apart from licensing requirements to ensure customer confidence in program and protect the State the EDCs and consumers from GPM default. Minimum requirements should be reflective of the number of customers that a GPM serves. The proposed requirements help protect ratepayers from TPS default, [and] provide integrity and stability to the marketplace by allowing entry only to creditworthy participants ... (PSEG)
25. Licensed suppliers are held to a greater standard than that proposed for GPM including creditworthiness and level of security that may be required Licensed electric suppliers in good standing should automatically be certified as GPM for the Program. Licensed electric suppliers should likewise be credited for the proposed \$25,000 GPM security requirement. (GME)
26. EDECA and BPU regulations give BPU discretion to recognize acceptable financial instruments for meeting security requirements related to licensing. BPU should allow Letters of Good Credit as well as surety bonds to meet any security requirements (GME)
27. Rules for GPM licensing are more onerous than those for a competitive supplier which may discourage participants (PES)

BOARD RESPONSE:

GPM qualification criteria is modeled after the BPU's current licensing standards for Third Party Suppliers (TPS) (EDECA, N.J.A.C. 14:4-2, 4-3, 4-4, 4-8(c)), with exception of those financial assurance requirements pertaining to a Load Serving Entity, specifically N.J.A.C 14:4-2.6(a) and 14:4-2(e)1. Following the Board Order authorizing the Program, TPS regulations will be amended to create distinct GPM criteria and licensing requirements. The Board firmly believes that standards and rules for GPM qualification should not be more onerous than those for a competitive supplier but should ensure and protect EDCs, OCE and consumers from supplier default and risks associated with the GPM's obligation to deliver RECs on the customers' behalf. Staff recommends that the standards and rules for GPM qualification should be comparable to those for a competitive supplier but should ensure and protect EDCs and consumers from supplier default and risks associated with the GPMs obligation to deliver RECs on the customers' behalf. The Board will review and consider requirements for the surety bond or equivalent financial instrument, as applicable, for GPMs.

GPM Enrollment & Application Process

GPMs generally noted that the "2 year term participation requirement" and proposed annual open enrollment process could limit supplier participation and recommend that a more flexible design be adopted that allows GPM to respond to market conditions. Others support the GPM requirements for a 2 year commitment.

28. It is unclear how many GPMs will participate. BPU should direct OCE to contact prospective GPMs to gauge their interest prior to approval and program designed to optimize supplier participation. (AE)
29. GPM certifications valid for one year but OCE will require 2 yr commitment to participate. Clarify how OCE will enforce a two year participation commitment in Program if GPM fails to apply for certification in year 2. Final Program design should address requirement (RPA)
30. Opposes the proposed requirement of a two-year participation term for Green Power Marketers This is in conflict with the Board's oft-stated policy of "greater reliance on competitive energy markets," and is inconsistent with the retail choice rules by which licensed electric suppliers have the discretion to be active or inactive in the New Jersey market. (GME)
31. Opposed to 2 yr participation requirement which is costly and onerous and recommends elimination of 2yr. participation requirement (PES)
32. Expectations on the Green Power Marketers should be clear. Green Power Marketers should commit to the program for at least two years and they should be required to have a marketing plan. (NJPIRG)
33. Opposes annual enrollment period. In the spirit of a competitive market environment, qualifying GPMs should be able - - and encouraged - -to join the Program at anytime. (GME)
34. Annual open enrollment will limit supplier participation. Consider 'annual open enrollment' for first year of program only and there after allow for rolling enrollment. (PES)
35. Submission of a marketing plan which was determined to be not necessary considering performance goals. (GA)
36. Provision of marketing plan and customer list to OCE may compromise confidentiality and competitive position. (PES)
37. Minimum marketing requirements for GPMs will help ensure greater investment by the marketers in the program, heightened consumer awareness of the program, and more choices for customers. A GPM should have its access to Program marketing tools such as bill inserts, and the distribution companies' and Office of Clean Energy's web sites reduced, or be disqualified from participating in the Program unless certain minimum performance levels are achieved. This may be measured and attained by establishing customer enrollment thresholds. Green Mountain recommends a schedule that within 12 months of launch, each GPM must reach and maintain a level of 5,000 customers served; 7,500 customers served within 18 months of launch; and 10,000 customers served within 24 months of launch. To meet these thresholds, a GPM will necessarily need to sufficiently invest in marketing. Any GPM opposed to minimum marketing requirements is only interested in the "free ride" afforded by the utilities' bill inserts and the official Program web sites. (GME).

BOARD RESPONSE:

The Board intends for the Green Power Choice Program to actively engage credible green power marketers to participate in the competitive market for renewable energy products and actively invest in its development. Five Green Power Marketers have already expressed strong interest in the Program and have actively participated in the GPC Working Group with an intention to participate in the final program. This is more suppliers than most existing green power choice programs which presents challenges in

terms of administration and ensuring commitment of resources on the part of GPM. GPM criteria and requirements for "2 year term of participation," "annual open enrollment" and the provision of a marketing plan were set as a means to ensure their commitment and to balance the desire for a program open to all interested GPM with the needs for simplicity and ease of administration. Staff and the GPC Working Group considered a competitive solicitation limiting the number of GPM able to participate, as seen in other green power choice programs, which would ensure a strong commitment on the part of GPM but would be less effective in engaging GPM in the competitive market for renewable energy.

Considering GPM needs to be able to respond to the market along with consumer interests and Program needs for consistency and ease of administration, particularly in the first year of the program, the OCE has eliminated the "2 year term of participation" requirement which would be difficult to enforce anyway and will allow for annual open enrollment for the first year of the program and thereafter allow for rolling enrollment. Upon Board Approval, authorizing the Program, The Board further directs the OCE to contact prospective GPMs to notify them of the Program and gauge the level of interest from other GPM. All interested GPMs will then be notified of the opportunity to participate in the Program and will be asked to enroll by a specified date. After the first year, GPMs will be able to enroll at any time provided they meet all the GPM criteria and requirements.

While the OCE and Board strongly support GPM investment in Program marketing beyond the activities funded by the OCE and the utilities, the Board recognizes that each GPM will have its own unique competitive position and strategy to build its consumer base. It is not the role of OCE or the Board to assess how GPMs should market their products and services and provision of a marketing plan by a GPM could jeopardize a company's competitive positioning. The Working Group established that in lieu of a marketing plan, the OCE should establish performance goals and targets relative to consumer participation rates and set GPM performance requirements to help drive consumer participation and ensure adequate investment. OCE will establish GPM performance requirements for the second year of the program based on consumer participation targets and the projected growth of the baseline of participating customers.

Consolidated Billing

EDCs will enable the program by providing operational support for consolidated billing services to the GPM. A few points of clarification were offered and comments on the cost effectiveness of a program that requires costly billing system modifications.

38. EDC will continue to bill regardless of whether or not a GPM bill separately. Revise language to read " A GPM may elect to separately bill customers for its services, but cannot provide consolidated billing services." (JCP&L)
39. EDC to provide GPM data consistent with the EDI requirements associated with the GPC Billing. Revise language in section (see suggested language) (JCP&L)
40. Flexible EDC billing systems supports customer choice in a restructured environment. It is overly burdensome to request that CEP bare the costs of restructuring billing systems whether for GPC or more general purposes. BPU should consider a more flexible approach to billing with respect to the specific task of promoting GPC. The EDCs have warned of considerable additional program costs due to billing system changes. Consider modifying

- proposal so that all BPC billing be done separately by GPMs rather than through EDC consolidated billing. (RPA)
- 41. Consolidated billing requires substantial modifications to billing software and will require billing system testing and the creation of additional electronic data interchange protocols all of which will be costly to implement. Atlantic Electric estimates for line-item billing for RECs ranges between 1 million to 2 million... Additional costs for marketing, operational and OCE administrative and marketing costs. (AE)

BOARD RESPONSE:

Consolidated billing, as provided to Third Party Suppliers, is a critical program component which can help GPM overcome current market barriers for retail green power choice. Through consolidated billing, without changing from his/her BGS provider for a new TPS, the customer can make a single monthly payment to the Utility (the provider of BGS) to cover the utility's electric service and the renewable energy Program cost. This model makes participation simpler for the customer, and GPMs can maintain direct interaction with their customers through direct mail. The Green Power Choice Program will make these services available to GPM. Without consolidated billing there is little basis for a statewide voluntary retail program as recommended by the Governor's Renewable Energy Task Force. Furthermore, because this service is being offered using the same platform and line item as that used for TPS, it is not possible to offer consolidated billing for both TPS and GPC, thus TPS customers will not be able to access the Program through their EDC.

Product Standards and Eligible Resources

Product options and minimum standards are designed to promote and advance the goals and objectives for New Jersey's Clean Energy Program, as adopted by the Board. The number and type of products offered by each GPM are further specified in order to minimize Program complexity and possible confusion for the consumer. GPMs commented and provided a number of competing recommendations on products standards.

- 42. REC Sourcing boundaries. Price is the primary driver of consumer purchases of renewable energy products. Green Mountain has compiled statistical data through consumer research to show that price is the primary driver of consumer purchases of renewable energy products. If you want renewable energy to find its way into the mainstream of consumerism you must appeal to the price consciousness of the customer. Eighty five percent of consumers will tell you they will buy green power. The majority will say they prefer the most recognizable generation sources, like solar and wind energy. But when exposed to price, they will unhesitatingly choose the lowest cost product, even if it's based on sources such as biomass and landfill gas. We strongly urge the Board to consider an approach to the sourcing and procurement of renewable energy certificates (RECs) for qualifying products in the Program that helps keep product prices in the range of perceived affordability to New Jersey customers. Consider an approach to the sourcing and procurement of RECs for qualifying products in the Program that helps keep product prices in the range of perceived affordability to NJ customers. (.e.g. in CT 50% of RECs sourced from anywhere in US). (GME)
- 43. Resource eligibility includes Class I or LIHI or small hydro which is inconsistent with RPS rules. Class I and Class II resources should be eligible. (PES)
- 44. Proposal not consistent with N.J.A.C. which limits RECs to solar. It is not clear if Board will issue modifying order approving use of Class I and Class II RECs issued by PJM. What will happen if GATS is delayed? (PES)
- 45. Vigorous customer demand is the key to the success of the proposed Voluntary Green Power Choice Program. Green Mountain encourages the Board to allow customers to decide the

Clean Energy Choice products and price that meets their needs and appeals to their personal interest. (GME)

46. Urges the Board to adopt the recommendation of the Draft Proposal that states "qualifying suppliers may offer products equal to 100% of the customer's usage, served by eligible renewable resources and at a flat rate per kWh." (CEI)
47. Limit of 100%-of-usage product on the ballot severely limits the ability of GPMs to market more innovative products. BPU should permit GPMs to include other products on the ballot so long as they have only renewable content. (GA)
48. The 100% usage requirement may reduce participation rate. NJ customers may be less willing to pay a premium than customers in other states. (AE)
49. Customers may not want a 100% use product due to price. GPM should be able to offer products that may or may not equate to 100% (PES)
50. We discourage 'new renewable' requirements. Simply stated, there just are not enough "new source" RECs currently available in PJM. Thus the Board would be placing a de facto cap on the number of customers that can sign up for the Program. (GME)
51. Product standards should be consistent with Recommendation 9 of Governor's Task Force Report to provide additional incentives for the development of renewable energy facilities throughout the region. Recommends requiring a minimum product content standard of 50% NEW resources (in operation on or after January 1, 1998) for all product offerings to ensure consumer premiums are directed towards the development of new renewable energy projects, which is what customers expect. (CEI)
52. Recommendation 9 of Governor's Task Force states that green power sales "include full disclosure of power supply mix utilized by suppliers participating in the program. We find that consumers buy based on resource location among other product content elements. The Board should require both bill inserts and disclosure labels include the state or states in which each resource in product mix is generated. (CEI)
53. Staunchly opposed to any regulation limiting a GPM from making price and product changes in response to market conditions, competitive considerations, or wholesale market conditions. Retail choice regulations do not restrict Third Party Suppliers in this way. Any changes to the terms and conditions of a GPM's offer should adhere to BPU's existing consumer protection and customer notification regulations. Allowing GPMs to react to market and competitive conditions can benefit consumers. For example, in the Niagara Mohawk "GreenUp" program, the four participating marketers have lowered prices or improved products and service to compete against one another during the past three years. Allow GPMs to react to market and competitive conditions. Adhere to BPU's existing consumer protection and customer notification regulations. (GME)
54. The use of solar thermal throughout the world is astonishing. We are looking at solar thermal converted to 70 gigawatts of power worldwide, produced by solar thermal. No other alternative energy source even comes close to that. Wind power and solar PV combined do not even come close. Requests that Green Power Choice Program to look at solar thermal as part of the program. (GGX)
55. The current proposal being considered by the BPU falls short of its intention to promote the ability of consumers to acquire clean energy on a voluntary basis in a percentage that exceeds the percentage required by the RPS regulations. In fact, there are no requirements that the mix of clean energy sold by Green Choice Providers contain any solar or other clean energy produced within the New Jersey distribution grid. In matter of fact, it is likely that the products sold initially will contain no local content. It is our belief that the consequences of the proposal as written will contravene the intent of the original Renewable Energy Task Force recommendation as well as the policies and rulings established by the Board since that time. (PVNOW)
56. It is recommended that the product standards be modified immediately to require that each product sold in the GPC Program contain a minimum of solar electricity (in the form of solar RECs) that equals or exceeds the percentage requirements established by the Board for the overall RPS Program (e.g. .01%, .017%, etc.). The GPC requirement could incorporate by reference the requirements in the RPS regulations in order to reduce program complexity and maintain ease of program administration. The existence of the solar REC

trading system will make the implementation of this product standard a simple process. The inclusion of the solar requirement within the voluntary choice program will mitigate some of the impact of the recent reduction in the overall solar requirement within the RPS Program during 2005 and 2006. Once the above requirement is established for the initial product content, PV Now suggests that OCE consider increasing the percentage (e.g. from .01%, .017%, etc.) of locally generated no or low emission electricity required in the product mix of the Green Power Providers after the first year of the Program. Although such an increase has numerous benefits that could be realized immediately if a higher percentage of local zero emission electricity were required today in the product mix, we are cognizant of the Board's desire to get the Program established and to initially limit the green power premium. Consequently, we are recommending the modest first step of matching the solar requirement of the RPS Program in the first year of the GPC Program. (PVNOW)

BOARD RESPONSE:

The GPC Program Standards adopted herein, and other programs currently being developed and implemented by the BPU's Office of Clean Energy, are designed to help to reduce barriers to renewable energy and foster the transition from a market dependent on incentives and mandates to one that is driven by consumer demand and value based pricing. The Voluntary Green Power Choice Program is designed to be consistent with the Renewable Portfolio Standards and recommendations of the Governor's Renewable Energy Task Force which specifically calls for the development of new renewable energy facilities within the PJM boundaries. While the preference is to allow for GPM flexibility in the sourcing and design of products based on consumer preferences and pricing, there is no basis to consider resources located outside PJM at this time. The GPC Standards clearly state that the Board intends to issue an order approving Class I and Class II RECs once the GATS system is operational thus allowing for the use of Class I and Low Impact Hydro (LIHI) or small hydro RECs in the GPC Program. In the event that PJM GATS is delayed the Board has proposed revisions to approve Class I and Class II RECs issued by PJM or some other entity. These provisions will allow for the use of Class I RECs and LIHI or small hydro RECs, as specified in the Voluntary Green Power Choice Program. While OCE and the Board support the use of Solar thermal and recognize its benefits, OCE advises that this technology would be better supported within the Energy Efficiency program and through the development of energy efficiency portfolio standards which incentivise technologies such as solar thermal.

By establishing the GPC Program, a secondary voluntary market is created for the sale of RECs to ratepayers who may otherwise not have an opportunity to participate in the renewable energy market. Unlike the RPS which mandates the inclusion of solar, GPC is a voluntary retail program where GPMs compete based on product offerings and consumers decide based on multiple factors including product pricing and content such as solar. A minimum solar content requirement would limit the ability of GPMs to differentiate their products based on solar content and would raise product pricing across the board thus potentially limiting consumer participation. The Board and OCE, therefore, do not consider it necessary or desirable to set a minimum solar content standard at this time. However, product standards should allow for the inclusion of solar in a manner that it can compete with other resources. OCE recognizes that the 100% usage standard will likely make it difficult for solar to compete and could price it out of the mix.

As a means to encourage the use of solar in product offerings and provide greater flexibility to GPM in the design and pricing of products according to consumer demands, OCE will allow 100% renewable energy products of any size to be offered instead of only 100% usage. This means that a customer may buy a 100% renewable content product offered by a GPM but that the customer does not have to purchase 100% of their usage from that GPM. To ensure that all products clearly support the goal of development of new renewable energy and that consumers premiums are directed toward new renewable energy sources, a minimum of 50% of the product content for all product offerings must come from 'new' renewable energy resources, as defined by generation facilities in operation on or after January 1, 1998. New Jersey's consumer disclosure rules require full disclosure of generation mix but are silent on location of generation. Considering that all products come from PJM in accordance with REC sourcing boundaries and come from within the consumer's power pool, disclosure of generation location is considered optional. Some GPM may prefer using a "regional mix" while others may prefer to market products based on generation location and appeal to those consumer preferences.

Certification & Verification

Verification of RECs is important to ensuring that consumers get what they pay for and that RECs are not double sold or counted. The GATS system which tracks RECs for the purpose of verification was expected to be operational by 2Q 2005. In the event that GATS is not operational in time for the launch of the program, third party verification would be required. A number of commenters requested clarification on issues related to product verification.

57. Verification of generation sources, accounting, tracking, and prevention of double counting of renewable energy attributes are important functions that underlie the success of the NJ Green Choice Program. PJM is developing a Generator Attribute Tracking System (GATS), but it is not know when it will be operational. In the interim, a third party certification verification platform is needed for ensuring that NJ Green Choice options meet all program requirements and best practices (CRS)
58. The Proposal is not clear on how third party certification process will be designed and implemented. Clarify process for third party certification (RPA)
59. Clarify language consistent with role and capability of GATS (REC tracking versus verification) Board order to approve interim tracking agent if GATS is not available in timeframe Certification
60. Third party certification should an option of the GPM (GME)
61. OCE should maintain list of approved third party certification programs from which GPMs may choose (JCP&L)
62. GATS is the preferred method of verification. Third party certification such as Green-e will add costs and may have different requirements than NJ. Set guidelines and structure the process to ensure that certification process is consistent and complies with the renewable resources approved for program (PES)
63. We support the use of GATS RECs for supply of the Green Power Choice program. However, GATS will be a wholesale tracking system, and the Green Power Choice document is not clear on how verification of retail sales will be performed. The operation of GATS and use of GATS RECs will not ensure that customers are getting what they pay for, nor does it ensure that marketers are meeting the other requirements of the Green Power Choice program....no program exists as an 'equivalent to Green-e." we believe NJ customers would suffer if marketers were allowed to lesser certification standards for Green-e certification and verification. The Office of Clean Energy needs to be clear on how verification will be performed in the short term and long term to ensure that customers are receiving what they pay for –and to our knowledge GATS alone will not provide this service. NJ BPU should

- either require Green-e certification and verification or make clear what you would consider to be an equivalent to Green-e certification and verification. (CRS)
64. Systems such as GATS do not perform functions related to retail supply, including ensuring that renewable energy sales to individual customers are met by promised product content. This is because individual electricity customers do not have accounts with GATS. Nor do tracking systems provide the other non-supply verification functions needed by the Green Power Choice program, such as assuring that customers are billed correctly for their products, and that customers are adequately informed about the products they are purchasing. The Office of Clean Energy needs to be clear on how verification will be performed in the short term and long term to ensure that customers are receiving what they pay for –and to our knowledge GATS alone will not provide this service (CRS).

BOARD RESPONSE:

OCE intends for the GATS system, which is under development by PJM-Environmental Information Services (EIS), Inc. to be operational by 3Q 2005 which will provide a basis to track and verify RECs used to meet regulatory RPS requirements and voluntary GPC Program requirements. The Board believes that such a system is the most cost-efficient mechanism for accounting and verification. A regional tracking system will reduce the administrative burden on suppliers to prove compliance with certain provisions of the RPS and provide a means to verify RECs sold through the GPC Program. GATS will track RECs and verify the resource type, vintage, generation location and other attributes as reported to OCE. In addition EDI transaction reports provide a basis to verify consumer demand at the retail level. GPM will be required to report to OCE annually on verification of RECs and the true-up period of RECs used to meet obligations in the GPC Program. In the event that GATS is not operational in time for the launch of the program, independent third party verification would be required. This verification would be the responsibility of the GPMs.

Customer Information & Subscription Process

Commenters have different opinions and recommendations on who should be served by the GPC Program and points of clarification..

65. All customers should be served, not just residential (GA)
66. A more open CPC program that allows all ratepayers to participate would be easier to administer and market. Open GPC Program to all customers regardless of electric supplier so that TPS customers could also enroll.... Clarify added costs of opening enrollment to TPS customers (RPA)
67. The Green Power Program was intended to benefit Basic Generation Service (BGS) customers who would otherwise not have the opportunity to purchase energy with increased attributes. (JCP&L)
68. Vigorous customer participation is the key to achieving the policy objectives underlying the Voluntary Green Power Choice Program. Accessibility, convenience, low cost, sustained awareness, credibility and reliability are the keys to achieving vigorous customer participation. (GME)
69. Limit customers served to residential customers. C&I sector is already competitive. TPS suppliers compete on price and enhanced energy products and services such as green power products. Board order should limit GPC Program to residential customers (MAPSA)

70. The rationale for difference in purchase requirements for C&I versus residential customers not provided. Clarify participation by C&I Customers and discuss factual basis for difference in purchasing standards in GPC Working Group. (RPA)
71. The proposal makes reference to commercial customers only. Revise language to read "commercial & industrial customers" (JCP&L)

BOARD RESPONSE:

The Board agrees that 'vigorous customer participation' is the key to achieving the policy objective underlying the Program and sees no reason to limit the Program to a single class of customers. Commercial & Industrial customers can serve an important role in driving consumer demand and in building public awareness or recognition of the Program. Technical limitations in billing system modifications make it necessary to limit participation to BGS customers only, as the Program will utilize the line item on the bill that is normally used for TPS service.

Customer Account Information – Customer Account Look-up.

72. Under rules a board approved from authorizing TPS access to information already exists. Consistent with these rules, GPMs should be required to provide valid acct. number for enrollment and recommends including this form as an attachment to the GPC / EDC Billing Service Agreement (JCP&L)
73. Account number look-up issue is unclear, internally inconsistent and problematic. Issue has arisen in context of retail choice and TPS. Anti-slamming regulations require TPS to provide account number to validate enrollment. Acct look up would increase costs and cause consumer protection concerns. THERE IS NO COMPELLING REASON to change this requirement for GPC Program. IF Board requires this it is likely that it would then be permitted for TPSs as well – further increasing consumer protection concerns. CLARIFY if account look-up service is being considered at program launch or some other point in future (6 months or 1 year) or simply for further discussion....Board should charge GPC Working Group with studying if there is a need for enhanced GPM access to customer account information. Only if the Board determines that such a need exists should it consider the mechanism for implementation. If implemented, Board should consider it a cost to be paid directly by GPM. (PSEG)
74. It is appropriate and proper that the burden of ascertaining customer account numbers should fall on the GPMs. No need to change existing customer privacy protections in order to facilitate GPC marketing. AVOID unnecessary changes to existing BPU regulations so as not to add delay to the eventual program implementation (RPA)
75. There is no valid reason why GPMs should be treated differently from other TPS. O&R has over 30% retail access customers (TPS customers) without provisions to provide customer Acct. Numbers. Board should maintain current practice of not requiring utilities to disclose customer account numbers without customer consent (RE).
76. Reference to Termination of Service notice due to late payment is erroneous. Page 34 Remove notice request and clarify language to reference customer contract clause stating termination of service in the event of consolidated billing ceases (GA)

BOARD RESPONSE:

New Jersey's law currently prohibits utility release of account numbers without the customer's consent. A utility can not enroll a customer without an account number. The issue of a utility providing an account number 'look-up service' has arisen in context

of retail choice and third- party suppliers. New Jersey will evaluate revisions to its regulations in this regard that are consistent with its statutes and successful programs in other states that facilitate customer *utility* account availability without compromising customer account privacy. Currently, the burden of getting an accurate *utility* account number is placed on the customer and the GPM. However, a better solution that is both quicker, recognizing the inherent problems in the existing system and fairer, recognizing the privacy issues, for customer service than the current situation will be sought by the BPU in consultation with the *utilities* and the GPM within the first year of the program.

Customer Account Information – Customer Re-enrollment

GPM report significant loss in customer enrollments due to the in ability to transfer GP service in the event of a customer move or relocation within a utility service territory or within the state. GPM have requested a solution to enable 'seamless move' capability to reduce drop out rates and maximize participation rates. Participating utilities note significant expenses associated with this function, while others note the applicability of 'seamless move' capability to other programs and the competitive market.

77. Seamless move capability will result in significant increases in EDC incremental costs. Implementation of seamless move will result in high bill and other potential consumer complaints. Customers moving to a new location should have at least one months experience with bill before enrolling in a program that will increase their bill. (JCP&L)
78. Seamless move PSEG systems do not support an automatic reenrollment when a customer moves. Cost estimates do not include seamless move component of Program. The Board should monitor issue during first year of program implementation to determine whether this issue needs to be addressed and if so possible mechanisms to do so (PSEG)
79. Some proposed GPC Program implementation activities apply to customers who do not wish to participate in the GPC Program. Consider generally applicable activities and costs in some other proceeding concerning electric retail choice programs rather than try to design and implement them solely for GPC program (RPA)
80. There are a few "quality of service" issues that NJPIRG is surprised the utilities have not yet implemented after 5 years of competition in the marketplace. Portability is a reasonable expectation that the utilities should be able to provide at least within their service area, not only for the Green Power Choice Program, but also for electric competition. Portability has been on the utilities' radar screen for at least the last 5 years, and its hard to believe that this would be difficult to implement, or very costly, since PSE&G already offers portability for their "Worry-Free Service." A "look-up service" also seems like it should have been implemented years ago for the purposes of retail competition. Not offering these services has already proven to be a stumbling block for electric competition, and the lack of these services will almost certainly hurt the Green Power Choice Program over time. NJPIRG supports the implementation of these services. NJPIRG is not convinced that the funding for these services should come out of the Clean Energy Program, or out of ratepayers' pockets. After all, partly because the utilities did not provide these services for the last 6 years, competition has largely failed and their electric generation counterparts benefited from this failure. (NJPIRG)

BOARD RESPONSE:

The Board appreciates these comments in support of customer reenrollment in the GPC Program. The Board, with the Office of Clean Energy will continue to evaluate this issue as it sets annual goals for the Green Power Choice Program and requests that OCE in consultation with the Working Group provide a

proposal for a solution to 'seamless move' capability by one year from Program launch.

Program Marketing

OCE will coordinate general GPC Program marketing relative to the establishment of a call center, clearinghouse, development of GPC website/web pages, and design of the ballot.

81. Minimum marketing requirements and performance levels should be set to help ensure greater investment. A GPM should have its access to Program marketing tools such as bill inserts, and distribution companies' and Office of Clean Energy's web sites reduced, or be disqualified from participating in the Program unless certain minimum performance levels are achieved. This may be measured and attained by establishing customer enrollment thresholds. Recommends a schedule that within 12 months of launch each GPM must reach and maintain a level of 5,000 customers served; 7,500 customers served within 18 months of launch and 10,000 customers within 24 months. (GME)
82. The ballot – simple, attractive and well designed utility bill insert with postage paid return enrollment card is the most effective method for enrolling new customers. Utility bill inserts generally provide a limited amount of space to describe the Program, the suppliers' products, and critical details of the product offerings (i.e., resource mix, location, percentage of new, and price). In order to not cause confusion on the customers part by presenting too many different product options in a space-constricted marketing piece, CEI recommends a degree of uniformity and simplicity when describing product offerings. (CEI)
83. Limitation to One product on ballot costly and increases risk for suppliers. Consider providing suppliers more flexibility in product offerings (PES)
84. Customer Call Center and clearing house costs not specified clarify GPC budgets for customer call center and clearing house in proposal and in Board Order (RPA)
85. GPC Website costs not specified. Clarify GPC budgets for website and investigate cost effectiveness of simply adding a GPC Program page to existing NJCEP website (RPA)
86. Reference to GPC Webpage not consistent with proposal Revise proposal to clarify minimum requirement to provide program summary, toll free number and link to OCE website (JCP&L)
87. Importance of establishing GPC Call Center and clearinghouse. Add to Milestone List (JCP&L)
88. Opposes requirements for approval for logo use Set guidelines but do not require 'approval' for use. (PES)

BOARD RESPONSE:

The Board appreciates the comments noting the clarifications needed on website and call center references. As noted above in GPM Criteria, marketing requirements will not be considered at this time but GPM performance levels will be set. Considering five GPM have already expressed an intention to participate in the Program and additional GPM may apply, the OCE has limited the Ballot to a single product per GPM with the option to offer additional product options directly from the GPM website. The GPC Working Group will work to develop and finalize the terms of the Secondary Logo Use Agreement, as amenable to the EDCs and GPM.

Performance Benchmarks and Reporting

89. Reference to Customer Report Card raises questions regarding data to be provided by EDCs. JCP&L understands only the number of customers participating in program will be provided. Clarify EDC obligations to provide additional data for Customer Report Card with

respect to GPC Program such as the number of customers affected by lack of 'seamless move' capability. (JCP&L)

90. Reporting of EDC costs would allow parties to monitor the ongoing deferred costs as well as the relation of these costs to actual customer participation rates. REQUIRE EDCs to report their reasonable and incremental current and cumulative GPC costs to the CEC as well as OCE on a quarterly basis – effective immediately.... The maximum program cost per GPC program participant should be capped to reduce risk based on 'extensive information base' that exists on other GPC Programs (RPA)
91. Proposal does not state the requirements only that they will be developed. Reporting requirements should be developed prior to implementation (PES)
92. Lack of stated goals for customer participation or plans for program evaluation. IF approved, OCE should set participation goals and create program evaluation plans. Continued investment in the program should be based on success in meeting goals. (AE)
93. Proposal suggests that EDCs are already performing some activities needed for the GPC program relative to services provided to TPS customers. EDCs should specify how the GPC implementation costs differ from any TPS activities already being performed (RPA)
94. Reluctance to support CEP funds support baseline GPC Program costs rather than revenues from program participants, GPMs and EDCs and customers. BPU has already approved 3 m budget for GPC Program and approved deferred accounting for EDC costs subject to review by BPU at later time. IF funded then GPC program design should include features to control program costs that are supported by all ratepayers. (RPA)
95. Prior to approval of GPC program BPU should require OCE to conduct a market research study in NJ to gauge customer interest in participation and NJ specific data to guide cost effective program design. (AE)

BOARD RESPONSE:

The Board appreciates these comments in support of implementing GPC Program in the most cost-effective way. The OCE will require the EDCs to report through the NJCEP Quarterly reports their ongoing , "reasonable, prudent and incremental" GPC costs as well as the number of participating customers. The Board, with the Office of Clean Energy, will continue to evaluate the applicability of GPC services to other programs and market participants. The Board requests that OCE in consultation with the Working Group develop targets for customer participation based on review of similar programs and consider GPM performance requirements and other mechanisms (e.g. seamless move) to optimize customer participation rates and ensure cost effectiveness. The Board further directs OCE to report to the Board and Clean Energy Council on the overall cost-effectiveness of the Program based on review of the first year of Program performance and operational budgets including utility costs eligible for cost recovery.

Program Timeline

The Proposal established a Program launch date of 8 months from the Final Board Order approving the program. While most GPM support an aggressive and timely launch, the utilities request more time to modify billing systems for consolidated billing and to implement the program. A number of stakeholders commented that a timeframe should also be established for the duration of the program.

96. The proposed schedule to be operational within eight months is challenging for the utilities and for OCE. If approved a longer more flexible timeline should be established for program implementation. (AE)
97. Timeframe and definition for 'program launch' requires clarification. 8 month timeframe is ambitious. PSEG is committed to deploy the appropriate resources to help implement the program in a timely manner and will work closely with OCE, other EDCs and GPMs to do so. Recommends development of a complete work plan to understand detailed timetable for the full program. (PSEG)
98. Supports the timely approval and implementation of the DRAFT GPC Proposal. (CEI)
99. An 8 month start up is too aggressive. Consider more appropriate schedule for implementation to commence at 12 months after program has been adopted and approved by BPU. (RE)
100. Recommends the Board set a definitive date - September 1, 2005 - by which customers may begin subscribing to the Program, rather than the target of "eight months from the issuance of the Board Order" as stated in the Proposal. (GME)
101. More than 8 months may be required for implementation. Revise language to allow for a minimum of nine months to launch the GPC Program or change reference to clarify that the date is a target (JCPL)
Statewide program envisions as means to reduce marketing costs and enhance ease of marketability. It is unclear if utility specific programs or a statewide program is more effective. Some EDCs may be ready to implement before others. GPC program rollout should not be delayed until all EDCs are ready. It may be more cost effective to encourage the utility that is ready first to roll out the GPC Program first and let others follow (RPA)
103. The Board Order should establish a term of no less than five (5) years for the Program. A program of this nature will take time to develop customer acceptance and grow to sufficient scale. Uncertainty about the length or future of the program is counter to the level of investment required of the electric distribution companies, the GPMs, and the Office of Clean Energy to start up and sustain the Program. EDI functionality is an example of such investment. And of course, it is in the best interest of New Jersey consumers to be assured of the continued existence of a Program to which they are being encouraged to commit. (GME)
The BPU should be designing the program to be as effective as possible at building new renewable energy in the region, and giving customers long-term options to support that development so that the market continues to grow in the future. The Voluntary Green Power Choice Program may be needed for a long time, and certainly longer than two years. After all, the shift to 100% clean energy sources will take several decades to complete, and until then we want customers to have the option to buy more or all of their power from clean energy. We have seen a lot of effort go into the creation of this program, and NJPIRG does not want to see this program abandoned after a few years. The program should be designed to exist for at least 10 years. (NJPIRG)
Board order should provide notice and guidance to GPM, customers and staff that GPC Program is intended to expire in five years or upon a finding by the Board of sustainable competition in the residential market, whichever is sooner. Assessment could be made as part of the Boards annual review of the provision of BGS. (MAPSA)

BOARD RESPONSE:

Considering utility request for adequate time to implement billing system modifications and the interests of GPM to launch as early as possible, Staff recommended the Board set a timeline for program launch 10 months from the date of Board Order approving the program but requested consideration of staged implementation based on the readiness of individual utilities and the cost effectiveness of launching the program in stages by service territory. On January 24, 2005, the Board authorized the Office of Clean Energy to work with the electric utilities to undertake such reasonable and incremental measures

as may be necessary for the electric utilities to be in a position to initially implement the Voluntary Green Power Choice Program in time for an October Program launch and further authorized the electric utilities to utilize deferred accounting for the reasonable, prudent and incremental expenses incurred in this regard. The Board considers a timely program launch critical to the success of the Program and thus sets a Program launch date, where EDCs are able to enroll and bill GPC customers, by October 1, 2005 unless granted a waiver by the Board. EDCs who will not be ready by October 1, 2005 may submit a request for a waiver that provides details as to why the Program is not ready to launch October 1st and a revised Program launch date. Furthermore, considering the transformational nature of the Program and the need for long term commitment and investment to achieve them, the Board supports establishment of the Program for no less than five years, and thereafter until a finding by the Board of sustainable competition in the green power market. The Board also reserves the right to make such changes to the Program as may hereafter be determined to be necessary as the Program is implemented and during the proposal and adoption of regulations.

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NEW JERSEY BOARD OF PUBLIC UTILITIES Office of Clean Energy

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Voluntary Green Power Choice Program

**Framework and Design
Business Rules
Technical Standards**

In the Matter of the Voluntary Green Power Choice Program
Approved by the New Jersey Board of Public Utilities
March 24, 2005

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INTRODUCTION

This is a summary of the general framework and design, business rules, and technical standards for the voluntary New Jersey Green Power Choice (GPC) Program (Program) developed by the New Jersey Office of Clean Energy (OCE) and approved by the New Jersey Board of Public Utilities (BPU) or (The Board). The OCE has considered input from the GPC Working Group (Working Group) on prior drafts, as well as the recommendations on best practices in Green Power Choice Program design by The Center for Resource Solutions and others. The Working Group was appointed by the OCE. A list of Working Group members is attached as Appendix A.

The Technical Working Group (TWG), a subcommittee of the GPC Working Group, has addressed key design and implementation issues such as billing system modifications and transaction requirements. The requirements in this document can be used to establish estimates for baseline Program implementation costs.

Further comments were considered from the Technical Working Group and interested stakeholders during a Public Comment Period on the proposed Program and its design prior to the final decision by the Board.

The glossary in Appendix E further defines terms used in this document.

GREEN POWER CHOICE PROGRAM DESCRIPTION

The Board and OCE are committed to implementing a statewide Green Power Choice Program that offers the same green power services to all customers across New Jersey. Offering the same products statewide will reduce marketing costs and enhance ease of marketability of the NJ Green Power Choice Program statewide by all Program participants.

The New Jersey Green Power Choice Program will empower ratepayers to make choices about their energy use and to participate in the renewable energy modeled program. The Program will allow electric customers who wish to pay a premium to encourage the development and expansion of renewable energy sources a green power option without having to switch their current Basic Generation Service (BGS) to an Electric Retail Choice Third-Party Supplier (TPS or TPSs). Customers who subscribe to the Program will have the opportunity to select among multiple Green Power Marketers (GPM or GPMs) that will purchase, for an agreed-upon price above the BGS energy rate, additional renewable resources in the form of Renewable Energy Certificates (RECs) on the customer's behalf. The issuance of RECs will be consistent with N.J.A.C. 14:4-8.8 (c) which provides that:

N.J.A.C. 14:4-8.8(c) Until issuance of a Board Order that specifies otherwise, the only RECs that may be used to comply with this subchapter are solar RECs, issued by the Board or its designee in accordance with N.J.A.C. 14:4-8.9. The Board may issue an order approving use of class I and class II RECs issued by

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PJM Interconnection or another entity for compliance with this subchapter.

The Program will be delivered through a collaborative utility-green power marketer program hosted by the four incumbent electric utilities. The “host” utility Electric Distribution Companies (EDCs) will provide a delivery platform as described later in the document to enable enrollment and billing, with oversight by the OCE. The Program will be offered as an add-on subscription of “green power” supplied by a qualified third-party GPM in addition to the customer’s BGS electric service. Program participants, including the OCE, EDCs, participating natural gas companies and GPMs, will jointly play a role in marketing the Program to customers as described below.

PURPOSE OF THE PROGRAM

The Program is intended to empower New Jersey electric customers to increase consumer demand for renewable energy products *over and above the Renewable Energy Portfolio Standards (RPS)* required by the State of New Jersey, and thereby promote development of new renewable energy generating facilities in New Jersey and throughout the PJM control area (PJM). Voluntary retail market programs are considered complimentary and synergistic with regulated markets and policy tools such as the Renewable Energy Portfolio Standards. The Program is consistent with Recommendation number 9 of the Governor’s Renewable Energy Task Force Report, dated April 24, 2003 that stated:

“The Task Force Recommends that the BPU working with suppliers, utilities and other stakeholders, develop a statewide program that would offer retail electric customers the option of selecting an energy product or products with a higher level of renewable energy than is required by the RPS. This option should be available to all retail electric customers in the state via a sign-up option on utility bills. Green power sales in this voluntary program must use renewable energy that is not otherwise used to meet a supplier’s RPS requirements and should include full disclosure of the power supply mix utilized by the suppliers participating in the program.

This program, which would allow customers to select a product with even greater renewable energy content at a potentially higher cost than basic generation service, would provide additional incentives for the development of renewable energy facilities throughout the region.”

The goals of the Program are to 1) empower individuals to make choices about their energy use and to participate in the market for renewable energy; 2) expand markets for renewable energy and related certificates and 3) expand customer access to clean, renewable energy products.

While the average participation rate of utility green power choice programs across the country ranges from 1 percent to 2 percent, effectively designed programs and coordinated marketing efforts can significantly increase participation rates and drive the development of new renewable energy sources.

For example, Portland General Electric (PGE), which serves 755,000 customers, recently announced reaching a major milestone of serving 30,000 green power customers. Thirty-

¹ PJM LLC has established a separate wholly-owned subsidiary to develop and operate GATS, financed by the NJBPU. The NJBPU understands that the financing is with PJM Environmental Information Services (EIS), Inc.

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thousand renewable power customers represent an increase of more than 20 percent from a year ago and a 600 percent increase since the program began in March 2002, making it one of the fastest growing green power programs in the country. PGE customers rank number two among the nation's utilities for total renewable power participants and number one in Oregon, according to the U.S. Department of Energy's latest National Renewable Energy Laboratory report.

The New Jersey Program is designed to foster an effective renewable energy collaboration between OCE, the EDCs and the GPMs in order to maximize customer participation and consumer demand for clean energy products in New Jersey. The Program is designed to be consistent with the governing principles of New Jersey's competitive electricity market and to support the development of new renewable energy sources consistent with the New Jersey Renewable Energy Portfolio Standards. However, it is clear that currently there is no vibrant, competitive or fully operational green power market, nor is it clear that one is developing at the residential or commercial & industrial level, as OCE is proposing in the statewide program. As the green power market develops, the OCE may reevaluate how to deliver the GPC Program.

ROLES & RESPONSIBILITIES

The primary goal in determining roles and responsibilities is to facilitate a strong operational relationship between each EDC and the participating GPMs, and to facilitate New Jersey's electric consumers' understanding, trust and utilization of the GPC Program.

Electric Distribution Companies

Participating EDCs provide the platform for green power product distribution for the Program by allowing GPMs to market green power products to EDC customers and by providing consolidated billing for services. The EDC will continue to send electric bills to these customers. A GPM may elect to separately bill customers for its green power services, but cannot provide consolidated billing services.

The participating EDC will handle very basic aspects of customer acquisition for the Program as described below including: handling of very basic and scripted customer inquiries regarding the Program, updating the EDC website to point to the OCE GPC website, facilitating customer account sign-up information, accurately billing the customers, and collecting and disbursing customer payments in a timely manner. EDCs will not be enrolling customers, as this is the responsibility of the Green Power Marketer. EDCs will also not have any association with the GPM selection process and GPM performance.

EDC logo use is voluntary and not a prerequisite of EDC participation in the Program but will be requested to reflect the affiliation of the EDC and GPMs to the Program and as a basis for establishing credibility and consumer confidence in the Program. The OCE in consultation with the Working Group will assist in the development of guidelines and an agreement for coordinated logo use similar to those developed for other programs (See Appendix B). It is the intent of the OCE that the EDC will be protected against any liabilities resulting from the use of company logos, names and affiliation with the Program.

A Customer Account Services Agreement approved by the Board (Docket No. EX99090676) and Third Party Supplier Agreement (Docket No EX03030185) presently used by Electric Retail

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Choice TPSs who either obtain consolidated billing services from the EDC or choose to separately bill for their services will be modified for this Program and approved by the Board to clarify and articulate roles and responsibilities for this Program. A GPM / EDC Billing Services Agreement, based on these Electric Retail Choice Agreements, will be developed and approved by the BPU.

EDCs will be required to provide quarterly reports on GPC costs and customer participation rates as described below.

Gas Utility Companies

Gas utility companies who elect to participate can enable the Program by providing consumer information services to educate their customers, announce the Program to additional customers and promote clean energy resources. Gas utility companies will not offer consolidated billing or enroll customers via a sign-up option on the bill or in a bill insert.

Suppliers & Green Power Marketers

Multiple qualified GPMs will compete for customer subscriptions based on renewable content, product offerings, and price. Participation in the Program is open to all interested GPMs that meet basic GPM criteria and minimum product quality standard as described below (See Sections on GPM Criteria and Product Quality Standards).

GPM responsibilities include:

- GPM Licensing and Certification
- Meeting product quality standards including acquisition of the cumulative annual renewable supply obligation and verification of RECs through Generation Attribute Tracking System (GATS) or third party certification of products as described below (See Section on Verification);
Program Reporting;
- Billing, including dual billing to Customer, or consolidated billing with EDCs;
- Customer service;
- Product marketing as outlined below;
- Compliance with EDECA consumer protection standards and other consumer disclosure requirements set out for the Program.

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OCE responsibilities , consistent with Board approval and NJ State laws include:

- Providing general oversight of the Program including the development of all authorizations and implementation of Board Orders and clarifying revisions to current regulations for the operational aspects of the program;
- Determining GPM qualifications to participate in the Program and GPM licensing, as approved by the Board;

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- Administration of contracts
- Administration of cost recovery mechanisms including the review of budgets and requests for cost recovery;
- Coordination of public outreach and consumer education including, marketing plans, website maintenance, management of Program Call Center and Clearinghouse and public advertising campaign;
- Dispute resolution;
- Review of Quarterly EDC and GPM Reports
- Program evaluation of the impact of the Program in the marketplace based on quarterly reports from GPMs and EDCs.

OCE is responsible for management of the qualification and licensing process, selection of participating GPMs and maintenance of any GPM lists. A Board Order adopting the final Voluntary Green Power Choice Program authorized the implementation of the program. Ongoing operations of the Program will require clarification to existing NJBPU rules and regulations at N.J.A.C. 14:4 et. seq.

OCE will conduct the “annual open season enrollment” certification process for the first year of the Program, as outlined below, and then rolling enrollment thereafter.

OCE will also ensure compliance with processes associated with product attributes that may be sold, specifically with respect to verification of renewable energy certificates.

OCE will coordinate and conduct broad public outreach and education about the Program as noted in the Section below on Consumer Education. OCE will coordinate development of marketing plans and the design of ballot cards, establish a GPC Program Clearinghouse to process ballot cards, establish a central GPC Program Call Center to respond to general public inquiries and provide supplier contact information and, develop and maintain a GPC Program website. In addition, OCE will implement a general public advertising campaign to raise consumer awareness and promote the GPC Program.

OCE will also oversee compliance with terms of the Program.

COMPENSATION & COST RECOVERY

Without cost recovery, an EDC will not be able to provide the level of support required by the GPMs. As set forth in the approved 2005 New Jersey's Clean Energy Program budget, participating EDCs will be recognized and compensated for their role through the use of New Jersey's Clean Energy Program Funds (CEPFs) through cost recovery under a Board Order. Participating gas utilities will be recognized and compensated for their role in announcing and promoting the Program as it pertains to the defined baseline services noted below. Gas utilities will not provide consolidated billing services or enroll customers in the program and thus will not be compensated for those baseline services pertaining to customer billing.

The OCE has discussed the feasibility and implications of cost recovery and “contract for services” mechanisms with the Working Group and OCE. However, cost recovery through CEPFs is the preferred mechanism for most EDCs, particularly in regards to meeting the target program implementation date.

The Voluntary Green Power Choice Program is consistent with the Board's prior policies to

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promote and advance renewable energy in New Jersey in the most cost effective manner, continuing strong consumer and environmental protections; while introducing greater reliance on competitive energy markets. The Board, in its Voluntary Green Power Program Order releasing the draft for public comment dated January 22, 2005, docket number E005010001 directed the Office of Clean Energy to work with the EDCs to undertake such measures as may be necessary for the EDCs to be in a position to initially implement the Voluntary Green Power Choice Program consistent with this draft Proposal. The Board further authorized the EDCs and gas utilities to utilize deferred accounting for the reasonable, prudent and incremental operational costs incurred to implement the GPC Program, subject to review by the Board at a later point in time, and after Board review and approval, will be eligible for recovery through the Demand Side Management Clean Energy Program - Societal Benefits Charge. Final authorization for the implementation of the Voluntary Green Power Choice Program was decided by the Board after the opportunity for public comment and consideration of the final Report and Guidance for the Voluntary Green Power Program

In order to enable cost recovery for the host EDCs and gas utility companies, OCE established the following:

- Definition of baseline program services to be eligible for cost recovery, described below;
- A dedicated portion of the Clean Energy Program budget for funding utility costs; and
- A Board Order authorizing the cost recovery mechanism;

The baseline Program encompasses the following services:

- Modifications of EDC billing systems needed for line item billing
- Customer line item billing and payment processing
- Facilitation of customer enrollment including the use of bill inserts
- Program reporting

The baseline Program will include additional incremental Electronic Data Interchange (EDI) costs; incremental Information Technology (IT) costs (those additional IT costs related to delivery of the GPC Program); incremental utility staff training costs related to delivery of the Program; incremental program development and management costs directly related to the GPC Program; incremental bill insert production and mailing for the GPC Program, but will not include marketing costs to promote the Program beyond those activities determined to be "minimum requirement" to implement and sustain the Program. Services for the baseline program for which the EDCs may recover costs through the Societal Benefits Charge (SBC) are defined as:

- EDI Costs – Incremental EDI costs associated with the GPC Program to develop and support the electronic exchange of customer data (e.g. usage and billing, payment, enrollment, drop, etc) between the EDC and the GPM, costs associated with EDI testing for GPM, and the costs associated with the development of protocol for data exchange with EDC and GPM,
- Information Technology Costs;- Incremental IT costs associated with developing and providing training with GPC Program for services that allow for consolidated utility billing for GPC customers as well as the design and implementation of IT solutions to serve GPC customers. IT costs may include the development and maintenance of website based content and information about the GPC Program.
Training Costs– Incremental training costs associated with developing and providing training associated with the GPC Program for call center and staff who support the program.

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Program Management Costs - Incremental Program management costs associated with development, administration and operation of the GPC Program including the incremental costs for personnel necessary to implement and manage the EDC's operational role;

Bill Insert and Ballot Costs - Incremental production and mailing costs for bill inserts and ballots associated with the GPC Program as well as any additional postage costs if applicable (e.g., if insert takes the bill over an ounce in weight).

In addition, incremental costs to develop customer account look-up service for GPM will be considered as recoverable costs if implemented in the future. Incremental costs to develop portability or 'seamless move' capability for GPC customers moving within the same service territory or state, will also be considered for cost recovery if implemented in the future.

Within 30 days, the EDCs, while implementing the baseline program, will request approval from OCE for any additional baseline services they believe are necessary to implement a baseline Program and provide an estimate of baseline Program costs. This request shall include an estimate of the cost in the first year of the Program and on an ongoing basis and the timeframe for implementation. Such request will be posted on the website and distributed to the RPA and other interested parties for review. The OCE will determine applicability within 30 days. Further analysis of Program implementation and administration will be conducted to determine the specific activities and expenses that will be recoverable and eligible for payment from CEF.

GREEN POWER MARKETER QUALIFICATIONS

The GPC Program will allow New Jersey customers that receive their electric commodity from a basic generation service provider under their electric distribution company's applicable BGS tariff, to stay with their current BGS provider and to voluntarily select one GPM from among multiple certified GPMs that will provide the electric customer with additional renewable content through RECs, over and above the New Jersey RPS requirements up to 100 percent. The GPC customer that voluntarily signs up for the New Jersey GPC Program will pay a premium to match a portion of his/her electric use with RECs.

Multiple qualified GPMs will participate in the statewide Program and will compete for customer subscriptions with 100% renewable content based on new renewable content, product offerings, and price. Participation will be open to all interested GPMs that meet GPM criteria and minimum product quality standards. Utility affiliates are not precluded from participation provided they are able to meet the established GPM criteria and product quality standards and are consistent with N.J.A.C.

Qualification Criteria

GPM qualifications are designed to ensure Program quality standards and to minimize and eliminate wherever possible the financial risk to customers, EDCs and their ratepayers associated with the Program. GPM qualification criteria will be modeled after the BPU's current licensing standards applying to Electric Retail Choice TPSs. Similarly, consumer protection standards applicable to GPMs and the NJ Green Power Choice Program will be modeled after the BPU's consumer protection standards applicable to electric power supply retail choice and amendments as needed will be made to these regulations.

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The details of the Program are generally consistent with the Electric Retail Choice Standards adopted and enforced by the Board under the Electric Discount and Energy Competition Act at N.J.A.C. 14:4-2, 4-3, 4-4 and 4-8.8(c). The Licensing and Registration Standards at N.J.A.C. 14:4-2 are applicable to Program participants, with the exception of those financial assurance requirements pertaining to Load Serving Entities, specifically N.J.A.C. 14:4-2.6(a) and 14:4-2.6(e)1. Use of the existing N.J.A.C. 14:4-2 Electric Retail Choice TPS licensing requirements as interim GPM standards will provide a high level of consumer protection, ensure the financial stability and qualifications of market participants, provide for sufficient security to insure against failure by a supplier to pay taxes and meet commitments to customers, and provide adequate authority and enforcement power to the Board. Following the Board Order, authorizing the Program, GPM license criteria similar to those found in Appendix C will be developed and finalized by BPU as well as clarifying revisions to other interim standards at N.J.A.C. 14:4-2, 4-3 and 4-4. This Order shall lapse on adoption of the clarifying revisions for GPM Rules.

GPM Registration Criteria include:

- New Jersey licensed energy suppliers that demonstrate creditworthiness;
- Electronic Data Interchange (EDI) compatibility;
- Product standards including the use of renewable resources that meet the Class 1 New Jersey RPS “renewables” definition;
- Minimum performance standards and performance reporting requirements.

GPM suppliers will commit to delivering specified product content at the promised price in keeping with NJ consumer protection laws and the terms of the contract with the customer and will adhere to proposed marketing guidelines (e.g. logo use) set by the Program.

GPM suppliers will commit to compliance with EDECA consumer protection standards and any other specific Program consumer protection standards relevant to the sale of renewable energy certificates.

GPM must also complete EDI testing and execute an EDC/GPM Billing Service Agreement, as noted in the relevant sections of this document, with each EDC prior to offering products to customers.

GPM Enrollment & Application Process

OCE will conduct a single “annual open season enrollment” certification process prior to program launch under which it will certify Green Power Marketers who will participate in the Program. After the first year of the Program, GPM can enroll at any time. The certification process is set forth below, and all applicants who meet the qualification requirements set forth below and are issued a certificate by the Board will be eligible to participate in the Program. The Board, by its Order approving the Program, established a deadline for the submission of certification applications, and a deadline for the completion of the certification process for the first year of the Program prior to program launch.

Application processes are detailed in Appendix C. General requirements include:

- Applications shall be made on forms provided by the Board.
- Application forms can be obtained at the Board of Public Utilities’ offices in Newark, New Jersey; by writing to the Board at 2 Gateway Center, Newark, New Jersey, 07102; by calling

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973-648-2025 or through the BPU website at www.njin.net/njbpu.

- All applications must satisfy the requirements as noted herein, and must be accompanied by the application fee and certification fee.
- The Board will process applications within 60 days. In cases where additional information is required from the applicant, the Board will so notify the applicant within 30 days of the date of the deadline date for application submission. The applicant shall provide all additional requested information within 15 days of such request.
- Approved applicants that pay the GPM certification fee will receive their GPM certification.
- Certified GPMs will be able to participate on the annual GPC Program ballot the first year and any time thereafter if renewed.
- GPM certifications shall be valid for a 12 month period coinciding with annual open enrollment period of the Program in year one and for one year from the date of approval thereafter.

CONSOLIDATED BILLING

Currently, through existing Electric Retail Choice, a customer can select a TPS that is a GPM. The GPM, in that case, can and will be able to continue to bill potential GPC customers directly through existing Electric Retail Choice TPS Programs for that selection. However, through this Voluntary GPC Program, the GPMs will also be able to use EDC consolidated billing to supply that same or a similar product supplied by RECs consistent with N.J.A.C. 14:4-8. Customers will continue to receive their electric commodity and delivery (their electric service) from their existing BGS without switching to an Electric Retail Choice TPS. A customer that has selected a TPS will not be able to access the Voluntary GPC Program through the EDC but may be able to purchase RECs directly from the GPM.

EDC consolidated billing to provide additional renewable energy or a percentage of green power, without switching from a BGS to a GPM or a TPS, is a critical component to this Program's overall success and the GPM's ability to effectively market the Program to customers. The OCE intends to secure the initial development and implementation of this "service" through New Jersey's Clean Energy Program funds from the EDCs for the GPC Program using cost recovery mechanisms and deferred accounting as defined by Board Order as previously noted.

Through consolidated EDC billing, without changing from their BGS provider for a new TPS, customers can make a single monthly payment to the EDC (the provider of BGS) to cover the EDC's electric service and the renewable energy Program cost. This model makes participation simpler for the customer than separate billing by GPM. GPMs can maintain direct interaction with their customers through direct mail.

A customer participating in the Program will continue to receive monthly bills from the EDC with the generation component of the bill containing line items which reflect: (1) a standard offer or default service charge, which will be the same rate paid by non-participants, and (2) a Green Power Choice Program charge, based on the price of the product that the customer has selected.

Once the GPM successfully enrolls a GPC customer, the EDC will provide the GPM similar monthly consumption, billing, and payment information for the customer that the EDC provides to Electric Retail Choice TPSs. The EDCs will provide EDI data consistent with GPC billing processes, as specified in Appendices F and G.

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The EDC assumes GPC customer receivables. Regardless of customer payment, the EDC pays the GPM charges electronically. GPMs are then obligated to purchase and retire RECs in quantities sufficient to satisfy their product offerings.

The EDC collects payment from customers participating in the Program. Customers in arrears are subject to cancellation from the program based on defined Electric Retail Choice rules.

The OCE with the Technical Working Group has investigated modifications required to implement EDC consolidated billing. The Working Group has developed rules and standards that describe the billing functions and allocation of responsibilities among GPM and EDCs. Those rules and standards, as modified in the course of discussion between OCE and the GPC Working Group are included herein Appendix F. GPM must execute an EDC / GPM Billing Services Agreement with each EDC prior to offering products to customers.

Changes and modifications to billing systems will be made in time to launch the Program, by October 1, 2005 consistent with the Board Order by the BPU establishing and authorizing the Program unless granted a waiver by the Board. "Program Launch" is defined as the notification of customers about the GPC program and the ability of EDCs to accept customer enrollments via EDI transaction. Any EDC that cannot meet the October 1st Program Launch date must submit a request for a waiver which provides details as to why the Program is not ready to launch by October 1st and a revised Program Launch date.

EDI TRANSACTIONS

Electronic Data Interchange ('EDI') is a protocol for the transfer of data between different companies. EDI allows computer-to-computer exchange of business documents in a standard electronic format. BPU requires the use of this industry standard protocol for supplier-utility business document transfers.

EDI compatibility will be a required component for all GPMs participating in this Program. EDCs will be required to provide EDI testing for GPMs in time for Program rollout.

The Gas Industry Standards Board Electronic Delivery Mechanism ('GISB EDM') will be required for the reliable and secure transport of GPC EDI transactions via the Internet. The GISB EDM implementation for GPC will mirror the Electric Retail Choice GISB EDM implementation.

Prior to baseline GPC implementation, each EDC will conduct EDI testing with the GPMs.

Post baseline GPC implementation, EDCs will provide GPM testing consistent with the schedule provided to TPSs, and the schedule proposed for GPM certification.

PRODUCT STANDARDS & ELIGIBLE RESOURCES

Products will be offered in the form of renewable energy certificates (RECs), also known as renewable energy credits, RECs, green tags, Tradable Renewable Certificates, TRCs, and T-

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RECS. RECs are based on separation of the attribute of renewable generation, the greenness of the renewable energy, from the electrical energy. This creates two separate products for sale by the renewable developer or marketer: (1) commodity electricity; and (2) renewable attributes in the form of certificates (e.g. RECs TRCs, etc.). The GPC Program will be consistent with N.J.A.C. 14:4-8.8(c). The Board is working with PJM-Environmental Information Services (EIS), Inc. to finance the development of the Generation Attributes Tracking System (GATS) for RECs which it expects to be operational prior to the launch of the Green Power Choice Program. Once the GATS is operational and PJM Interconnection begins issuing class I and class II RECs, the Board may issue an Order approving use of class I and class II RECs issued by PJM-EIS Interconnection for compliance with this Program.

Eligible resources include Class 1 Renewables as defined under the New Jersey Renewable Portfolio Standard as defined at N.J.A.C. 14:4-8.2, as well as low-impact hydropower (LIHI) or small hydro generation under 30 MW. Class I Renewables include: electric energy produced from solar technologies, photovoltaic technologies, wind energy, fuel cells powered by renewable fuels, geothermal technologies, wave or tidal action, and/or methane gas from landfills or a biomass facility, provided that the biomass is cultivated and harvested in a sustainable manner..² Electricity generated from the combustion of biomass includes both the burning of captured methane gas derived from biomass, as well as the direct firing of biomass. A direct firing of biomass to generate electricity must document that the New Jersey Department of Environmental Protection (NJDEP) provided a biomass sustainability determination for the biomass as set forth at N.J.A.C. 14:4-8.5(d).

RECs or MWhs used for compliance with New Jersey's RPS or any other state's RPS or other portfolio standards are not eligible for this Program. The RECs used to meet the requirements of the GPC Program by the GPM must be additional to any compliance RECs to meet the New Jersey RPS or any other state portfolio standard. Knowing use of compliance RECs for this Program will automatically disqualify the GPM for this Program.

RECs will be sourced from within the PJM, consistent with New Jersey RPS rules. RECs coming from outside PJM would have to wheel an equivalent amount of electricity into the PJM grid in order to qualify, consistent with NJ RPS rules. OCE in consultation with the Working Group will consider PJM capacity estimates and issues to ensure adequate supply.

The number and type of products offered by each GPM are specified in order to minimize Program complexity and possible confusion for the consumer and optimize the Program's goals of fostering the development of renewable energy resources. Qualifying suppliers may offer 100% renewable products equal to any percentage of the customer's usage, served by eligible renewable resources and at a flat rate per kWh for service for the first year of the Program. To ensure that consumer premiums are directed toward the development of new renewable energy projects in the region, a minimum of 50% of the product content for all product offerings must come from 'new' renewable energy resources, as defined by generation facilities in operation on or after January 1, 1998. These Program requirements will be evaluated during the first 4 months of the Program to determine whether it should be revised or continued based on participation rates and any additional input.

GPMs will not be limited to the number of products that meet these standards offered via their websites but will be limited to the number of products on the ballot due to space limitations,

² ("Electric Discount and Energy Competition Act." www.bpu.state.nj.us/wwwroot/energy/Dereglaw.pdf)

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depending on the actual number of suppliers who enroll in the Program. OCE has determined that until a final count of participating GPMs is known, qualifying GPMs may offer only one product on the ballot. BPU will develop design criteria to guide the decision as to how many products will ultimately be allowed on the ballot.

After the first year of the Program, OCE and the Board may consider modifying product standards including a minimum percentage of solar energy or a more aggressive minimum content standard to improve the environmental externality of the generated electricity such as additional low or no emission wind, solar, biomass or low impact hydro.

The Program will be available to all residential customers who have not switched to a TPS supplier and to non-residential customers including commercial and industrial customers receiving BGS who will be able to purchase as much or as little renewable energy, in the form of RECs, as they choose, as long as that is feasible within the constraints of the billing system.

All products shall conform to NJ State environmental information labeling disclosure requirements at N.J.A.C. 14:4-4 and will acquire RECs consistent with N.J.A.C. 14:4-8.8(c). If the GATS is not operational before the launch of this Program the Board will provide for alternate verification of the product through a recognized third party verification program such as Green-e or an equivalent program selected by OCE. Clarifying revisions will be included at N.J.A.C. 14:4-4 for the GPM requirements and Program.

A GPM who also wishes to market commodity electricity products must participate under Electric Retail Choice rules at N.J.A.C. 14:4-2. If a supplier is offering both commodity electric and renewable attribute products, they must have separate licenses with the BPU and separate agreements with the EDCs. The Board intends to revise N.J.A.C. 14:4-2 to include licensing requirements specific to GPM.

Product Certification and Verification

Independent tracking and verification is necessary to ensure that the electrical energy associated with the certificate was delivered into the PJM grid, was generated within the prescribed true-up period, was not used to meet a federal, state or local RPS and that no two certificates represent the same MWh of energy. Verification is also required to ensure that each GPM has purchased sufficient quantities and eligible types of RECs to meet its Program offerings. New Jersey's Solar Renewable Energy Certificate (SREC) program is one vehicle that will be used for verification of New Jersey solar RECs. PJM-Environmental Information Services (EIS) Generation Attribute Tracking System (GATS), which is expected to be implemented in the second quarter of 2005 and operational by year-end 2005, will facilitate verification of all Class I RECS at the wholesale and retail level. New Jersey's SREC program may be a component of GATS or may continue as a stand alone verification system for New Jersey solar RECs.

The GPC program will be consistent with the requirements as set forth at N.J.A.C. 14:4-8.8(c). If GATS is not operational concurrent or before the launch of the GPC Program, the Board will provide for the use of a third party independent organization that will serve as the verification and accounting platform for ensuring that GPC product options meet all Program requirements set by the Board, including consumer disclosure and product marketing guidelines. GPMs will be responsible for obtaining product verification and certification through this third party entity, and for payment of any fees associated with certification. The OCE will develop GPM third

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party verification and certification equivalency standards as clarifying revisions at N.J.A.C. 14:4-4. In addition to GPC Program requirements and GATS verification, the GPM may elect to obtain independent third party certification of products through Green-e or some other certification program.

GPMs will be responsible for providing GPC usage information to GATS or other verification entity as identified by the Board in order to procure the specific award of RECs. EDCs will provide usage by customer on a monthly basis to the GPMs through the EDI system, which records customer billing transactions between EDC and the GPM at the retail level and by utility service territory. The EDCs will provide the summary report by GPM to the OCE on an annual basis. GPM will be required to provide OCE an annual verification report based on GATS and EDI transaction records that show the number of customers by territory, their GPC renewable energy obligation by territory and the retirement of RECs through GATS necessary to meet their total REC obligations for the GPC Program. The OCE will obtain from PJM GATS a summary on an annual basis of the RECs sold.

Product Disclosure

As set forth at N.J.A.C. 14:4-4, participating GPMs will disclose accurate product information to the customer, prior and subsequent to sign up, as required by New Jersey law³ and GPC Program Standards. All products which are based on PJM resources, will be required to disclose the power supply mix. Suppliers may voluntarily disclose the resource location by region or state of each resource in a product. The OCE in consultation with the Working Group will continue to review New Jersey and other relevant product disclosure rules and, as needed, develop additional product disclosure standards applicable to the GPC products. .

CUSTOMER INFORMATION AND SUBSCRIPTION PROCESS

A variety of customer information vehicles to support the subscription process will be employed including but not limited to websites, direct and general marketing through various news medias, public service announcements (PSAs), EDC bill inserts and bill insert ballot with postage-paid sign-up postcard, EDC telephone call center, GPC Call Center operated by and on behalf of OCE. OCE in consultation with the Working Group will develop process details related to ballot processing (e.g. processing center, website content and linkages, distribution of records, follow-up for incomplete nominations, records & reporting, etc.).

The Program will be available only to residential, commercial and industrial customers receiving BGS service. Customers ineligible for GPM services include customers switched to an Electric Retail Choice TPS, customers receiving Universal Service Fund (USF) subsidies and customers with arrears that meet or exceed aging requirements under Electric Retail Choice rules.

Customers will receive a ballot in the mail explaining the Program and its benefits, and inviting the customer to sign up. A reply card will allow the customer to: (1) select a GPM and product; and (2) provide the information necessary to facilitate the customer "enrollment" transaction.

³ Details of New Jersey's Environmental Labeling requirements are found at: <http://www.state.nj.us/bpu/wwwroot/energy/envi.pdf>.

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The customer will provide their EDC account number, name, address, and telephone number in order to verify their account. The GPM will send a "welcome packet" with price, terms, and conditions of the product.

Websites

The information and subscription method will include website addresses for EDC, GPM, and NJCEP websites. Each participant's GPC web page will include a visible link to the OCE Program home page. The Program home page will include a general description of the Program.

The EDCs and gas utility companies will promote the GPC Program on company website by, at a minimum, providing a link on their homepage to the GPC Program home page, and the NJCEP toll free number for consumer information about the Program. Other effective options may be considered and approved by the OCE.

Bill Inserts and Subscription Ballot

Bill inserts will be developed by OCE in collaboration with the EDCs, participating gas utilities, GPMs and others as appropriate. The bill insert will include a description of the Program and brief product information and a customer sign-up ballot that can be sent to a Clearinghouse for delivery to the appropriate GPM. Customers will receive a minimum of two utility bill inserts per year describing the Program, and including a sign-up ballot, to promote the Program to customers.

The OCE will design a standardized ballot to present comparative product and supplier information including:

- Name of supplier
- Product description
- Price
- Resource content and percent new resources
- Geographic source
- Web and toll free numbers for further information and how to sign up
- Product certification information and contact information as applicable.

OCE in consultation with the Working Group will develop process details related to ballot processing (e.g. clearinghouse/processing center, website content and linkages, distribution of records, follow-up for incomplete nominations, records & reporting, etc.).

Call Centers

The OCE or some other third party on behalf of OCE will establish a toll-free central call center to respond to customer inquiries regarding the Program. It is expected that customers will also call their host EDC who will be capable of fielding basic questions about the Program and refer customers to either the OCE Call Center or website to obtain product and contact information for participating suppliers. OCE will lead the process to jointly develop a short call center script

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to describe the Program, to provide contact information for NJCEP or specific GPMs if requested, and to offer to send the customer a Program brochure. The OCE Call Center will be responsible for sending Program brochures if requested. Customer information will not be provided to GPMs based on these calls.

Customer Account Information

The EDC account number is crucial to the successful enrollment of a GPC customer. An EDC will not be able to process a customer enrollment without an account number. OCE recognizes that the ability to accurately identify the customer's EDC account number is a concern for large-scale success of the GPC program. OCE is committed to developing and implementing a solution that improves the GPM's ability to get accurate account numbers without compromising customer privacy. As noted during discussions, OCE does not want to delay Program implementation until this service is available but will consider requirements for this service consistent with all rules and regulations or necessary revisions to those rules as set forth at N.J.A.C. 14:4-3, to be implemented within one year of Program launch.

Studies of other markets conflict on the scope of this problem. Orange & Rockland reports that its successful marketplace is not hampered by lack of an automated or EDC-funded account number lookup solution. GPMs have reported that other states with GPC Programs such as Texas, Connecticut and other markets provide suppliers with mechanisms to lookup account numbers without EDC involvement.

N.J.S.A. 48:3-85 currently prohibits EDCs' release of account numbers without the customer's consent. New Jersey will evaluate revisions to its regulations in this regard that are consistent with its statutes and successful programs in other states that facilitate customer EDC account availability without compromising customer account privacy. Currently, the burden of getting an accurate EDC account number is placed on the customer and the GPM. As currently proposed through this draft proposal the following options are available:

The customer fills out the ballot with his/her bill handy.

Customers obtained outside the home (large events, malls, etc) require the GPM to call the EDC to obtain the account number.

- The customer may call the EDC and ask for account information.

An additional option, if customer account look-up were implemented:

The customer may complete a GPM-specific sign-up or enrollment form with name, address, phone number and signature that designates the GPM as the customer's agent and gives permission to access the customer's account information. The GPM can contact the EDC to get the account information to facilitate enrollment via EDI system.

EDC privacy procedures will be followed for the release of this information. While wet signatures as set forth in current regulations are not required for the GPC Program, GPMs, as set forth in current regulations, are obligated to maintain documentation supporting enrollment in their service offering. EDC account information necessary for enrollment may be obtained from the EDC by customers directly or by a GPM specifically authorized by the customer. The GPM will either call the EDC or submit an electronic file to the EDC indicating that it has been designated as the customer's agent.

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A fully-automated, 100% accurate solution to this problem, that will avoid EDC rejections, is not possible given issues impacting the inherent reliability of the customer's account accuracy (e.g. using husband versus wife name or a general mailing address versus the EDC's billing address) and many other problems. However, a better solution that is both quicker, recognizing the inherent problems in the existing system and fairer, recognizing the privacy issues, for customer service than the current situation. OCE recommends further consideration of customer account look-up solutions with a target for a proposal for a solution within one year of Program Launch, for a system that provides ease of service to the customer. BPU in consultation with the EDCs and GPM, will consider the potential impact of this program deficiency, the appropriate mechanism for implementing it, what rule or amendment may be necessary, implications to consumer privacy and the estimated costs for the EDCs and the GPM.

Customer Reenrollment

OCE is committed to minimizing the number of GPC customers who lose their GPM due to a move.

Under the current system, in most cases, a GPC customer who moves will be without their GPC account for approximately one or two months until the GPM is able to re-enroll the customer with the customer's new EDC account number. This represents lost revenue for the GPM, and negative Program exposure to the customer, who may be required to take action to maintain their GPC status with the new EDC account. The OCE will continue to work with the EDCs and the GPMs to evaluate development of an automated seamless move system for the GPC Program.

Currently, all EDC billing is based on the location of the customer's account. When a EDC customer moves the location account must be closed and a new account at the new location opened. In an automated seamless move system for the GPC Program, when a EDC customer moves to a new location the customer's current GPC selection moves with the electric account to the new location. This seamless move may be in the same manner as other services provided by the EDCs or a different process. The key is service to the customer.

However, there are a significant number of information technology billing details with each EDC concerning the development of a seamless move system for the GPC Program that must be evaluated in order for the system to be developed properly. This evaluation and development to implement a seamless moves system for the GPC Program, which may impact on other TPS Programs or other EDC services, will require revisions, which may be significant, to the existing EDC billing systems. The OCE does not believe that the lack of an automated seamless move solution merits the potential delay in implementation of the GPC program.

The Board, through GPM reports on the number of customers who drop out of program due to a move within the state or service territory and through its Customer Report Card data on customer enrollment numbers, will implement measurements and performance thresholds to monitor the number of customers affected and the degree of the impact on the customer and the GPC Program caused by this current Program deficiency. Future Board Orders may be required to remedy any identified Program weaknesses. OCE recommends further consideration of seamless move solutions with a target for a proposal for a solution within one year of the Program Launch for a reenrollment system that provides services to the customer to be effectively integrated in the Program

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PROGRAM MARKETING

The Program will be jointly promoted and marketed by the OCE, New Jersey's Clean Energy Program, EDCs, participating gas utilities and participating GPMs. The OCE in consultation with the Working Group will develop guidance on the appropriate level of co-marketing between EDCs, gas utilities and OCE, as well as between EDCs, gas utility and GPMs. This will guide the specific policies and practices regarding co-marketing. OCE will develop an annual Marketing and Promotional Plan for the program in time to enable performance with input from the participants.

Marketing guidelines will address the following marketing/promotional initiatives:

Program Branding: Development of renewable logo or tagline for use with the New Jersey Clean Energy Program logo and a distinct Program name to jointly market the Program.

- **Press Releases:** The EDCs, gas utilities and GPMs may, at their discretion participate in coordinating activities associated with periodic press releases concerning the Program.

Web Site Information: The EDCs and participating gas utilities will include basic Program information on the GPC Program web page, including a description of the Program and links to the OCE GPC Program home page.

Information Initiatives: The EDCs and gas utilities will provide for semi-annual bill inserts of the Program. The content and timing of the inserts will be done in a collaborative process with the participation of the EDCs, the GPMs, and the OCE. The timing of the release of the bill inserts will be coordinated so that the provision of them will not substantially increase the mailing costs to the EDC over normal monthly mailing costs. The inserts may include a ballot panel or sign-up card to be returned to the OCE clearinghouse.

- **Call Center Scripting:** The OCE will work with EDCs, gas utilities, GPMs and other appropriate parties (e.g. the Ratepayer Advocate and third-party verification organization) to develop a standard call center script relating to the Program for use by EDC call centers and the OCE call center. The script will provide general information regarding the Program and will not endorse any GPM.

Newsletters: Program participants will include Program information in customer newsletters if available twice per year. The content and timing of such information will be at the discretion each of the EDC, GPM and OCE.

Public Events: The EDCs and gas utilities may provide the GPMs access to EDC-sponsored public events, at its discretion. OCE will also provide opportunities for GPMs to conduct consumer outreach at public events throughout the year.

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Coordinated Consumer Education

As set forth in the approved 2005 New Jersey's Clean Energy Program budget, OCE will use CEP funds to promote customer awareness of the option to choose a GPM and conduct a statewide consumer awareness campaign to help launch and market the Program. Clean Energy Program funds will be used to publicize the GPC Program and provide customers with the information they would need to choose to enroll in the Program. These efforts will include a mass media campaign incorporating broadcast and print media, PSAs, outdoor advertising as well as press and consumer outreach events.

This advertising will inform customers of the opportunity to make the green power choice and direct interested customers to the OCE Call Center and GPC Program website. OCE will not promote a particular GPM but will promote customer awareness of the option to choose a GPM. Once the customer looks at the GPM options, GPMs will compete with one another to sign-up customers.

Performance Benchmarks and Reporting

OCE will require quarterly reports from EDCs and GPMs to track the growth and progress toward developing and maintaining a customer base and a load base through the Program. These reports will also provide a basis for OCE to establish reasonable customer participation targets and evaluate the effectiveness of GPC in meeting these targets.

GPM Quarterly Reporting Requirements:

- the # of residential customers at the end of each quarter of the Program and cumulative over the year;
- the # commercial and industrial customers at the end of each quarter of the Program and cumulative over the year;
- the # of customers dropped or potentially lost due to lack of seamless move capability
- the # of Megawatt-hours of renewables overall and by resource supported per quarter; and cumulative over the year
- the # of Megawatt-hours of 'new renewables' overall and by resource supported per quarter; and cumulative over the year

EDC Quarterly Reporting Requirements

Total number of customers overall and the number of customers per GPM at the end of each quarter

Total number of Megawatt-hours served overall and per GPM at the end of each quarter

Total number of customer inquiries for GPC overall and by month.

The OCE in consultation with the Working Group will develop Minimum Benchmark Performance Standards, to ensure that GPMs are adequately investing marketing resources in the Program to stimulate and support customer participation and to ensure the Program is meeting its goals. The benchmark performance standards, would serve as a basis for continuing GPM participation in the GPC Program and access to bill inserts, ballots, and integrated customer communications. By the end of one year from the date of Program launch, The OCE in consultation with the Working Group will assess customer participation targets and

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set customer enrollment levels for GPM that are achievable but still necessitate minimum marketing activities as well as an appropriate time frame for achievement of minimum performance standards. The OCE will also develop by program launch, a Program Evaluation Plan to assess effectiveness of the program and determine what revisions if any are needed.

Performance-Based Incentives

The OCE in consultation with the Working Group will consider and recommend a performance-based incentive program to reward EDCs for working with marketers to meet the goals of the Program and to go beyond the baseline Program and minimum performance benchmarks. Such an incentive, funded by the GPM in full or in part, could work to help offset marketing costs and encourage effective collaborations between host EDCs and GPMs.

Timeframe for Program Rollout

The Program was presented for adoption and approval by the BPU on March 24, 2005. Program launch, as defined by the notification of customers about the GPC program and the ability of EDCs to accept customer enrollments via EDI transaction, will be no later than October 1, 2005. EDCs who are not able to meet this deadline are requested to submit a request for a waiver to the BPU for approval. The waiver must provide details as to why the Program is not ready to launch by October 1st and a revised Program Launch date. Specific detailed timetables and milestones will be established for the process of selecting suppliers, distribution of subscription ballots and other operational next steps. A draft timetable for program implementation is provided in Appendix H: GPC Implementation Milestones and Timelines.

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Appendices

APPENDIX A: WORKING GROUP MEMBERS

Green Power Choice Working Group Member List

Amanda Wagner	First Energy Group
Amy McGinty	Community Energy
Anne Marie McShea	Office of Clean Energy
Anne- Marie Peracchio	New Jersey Natural Gas
Bob Chilton	Gabel Associates
Brandon Siegel	Green Mountain Energy
Brent Alderfer	Community Energy
Brent Beerley	Community Energy
Chris Siebens	JCP&L
Dan Lieberman	Center for Resource Solutions
Dante DiPirro	NJ Department of Environmental Protection
David Nichols	NJ Ratepayer Advocate
Eisenstark, Gregory	PSE&G
Elaine Kaufman	NJ Ratepayer Advocate
Emily Rusch	NJ Public Interest Research Group
Fred Lynk	PSE&G
Gabe Petlin	Center for Resource Solutions
George Behr	Energy Services Group
James Hough	PSE&G
James Torpey	Madison Energy Consultants
Jeffrey Brown	Global Learning
John Holtz	Green Mountain Energy
Kenneth Welch	NJ Board of Public Utilities
Kevin Connelly	JCP&L
Kevin Jones	Orange & Rockland Electric Co.
Kurt Lewandowski	NJ Ratepayer Advocate
Ledford, Calvin R.	PSE&G
Linda Nowicki	NJ Board of Public Utilities
Mally Becker	Gabel Associates
Marianne Harrell	New Jersey Natural Gas Co.
Mark Brownstein	PSE&G
Maryanne Daniel	Department of Energy
Maure Watkins	JCP&L
Mel Jones	Sterling Planet
Michael Winka	Office of Clean Energy
Mike Coyle	PSE&G
Nusha Wyner	NJ Board of Public Utilities
Peter Yochum	NJ Board of Public Utilities
Rick Handley	Gabel Associates
Robert Rivas	NJ Ratepayer Advocate
Roger Schwarz	Green Mountain Energy

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Scott Hunter	Office of Clean Energy
Scott Razze	Conectiv
Scott Weiner	Rutgers University, Bloustein School of Public Policy
Steven Gabel	Gabel Associates
Steven Huber	PSE&G
Terry Moran	PSE&G
Tiffanne Cowan	First Energy Group
Tom Kelly	Orange & Rockland Electric
Walt Davis	Conectiv
Wayne Hudders	Pepco Energy Services

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APPENDIX B: SAMPLE LOGO USE AGREEMENT

NEW JERSEY GREEN POWER CHOICE PROGRAM MARKETING INITIATIVES

A. USE OF COMPANY LOGO AND NAME

- 1 Company Logo. A Green Power Marketer (GPM) may display, in accordance with this Section A, Company's corporate logo ("Company's Logo") in "Program Materials" as defined in this Paragraph. GPM shall not display Company's Logo in any other materials or communications. Program Materials contain descriptions of and/or general information about New Jersey's Green Power Choice (GPC) Program and its availability to Company's customers. Program Materials are educational in nature. Program Materials may not contain: (i) advertising of, or information about, GPM's particular product or service offerings or the terms or pricing thereof; nor (ii) any solicitations by GPM (such as statements that urge, encourage or ask Customers to sign up for GPM's products or services).
 - a. Logo Location. If GPM chooses to include Company's Logo in its Program Materials, GPM shall display Company's Logo only in a "boxed area" (e.g., an area that is bordered by a dark line), which area shall be at the end (the bottom of last panel and/or page) of the Program Materials. In the case of any Program Materials in electronic medium, Company's Logo shall be displayed at the end of such media. GPM's display of Company's Logo shall comply with the requirements of [EDC Name], attached hereto as Schedule ____
 - b. Print Specifications Disclaimer. Immediately after any display of Company's Logo, and within the same boxed area referenced in paragraph (i) above or in the case of electronic medium, underneath the Company's Logo and on the same frames that contain Company's Logo, GPM shall include, in legible print, the following disclaimer:

New Jersey's Green Power Choice Program is offered to all customers of [EDC Name]. [GPM Name] is a separate supplier approved by the New Jersey Board of Public Utilities to provide GPC services to customers of [EDC Name]. Any warranties for products and/or services are solely provided by [GPM Name]."
 - c. Company Approval. Prior to any broadcast, transmittal or release of Program Materials that contain Company's Logo to any person outside of GPM and its employees, contractors, and/or agents working on such Program Materials, GPM shall: submit a copy of such Program Materials to Company so that Company can ensure that GPM's proposed use of Company's Logo complies with the requirements of this Section 1; and obtain Company's written approval of such Program Materials. Company's review of Program Materials shall be in accordance with Paragraph 3,

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below.

2. **Company Name.** GPM may include, in accordance with this Section A, Company's name in its written, electronic, promotional, enrollment and other materials that relate to the GPC Program ("Marketing Materials"), as well as Program Materials, which are described above. GPM's inclusion of Company's name in Marketing and Program Materials shall not state, imply or suggest that Company is responsible for, or endorses or warrants any statements, products or services of GPM. GPMs shall not use words that state, imply or suggest partnership or sponsorship or legal obligation of Company, in conjunction with Company's name included in Program and Marketing Materials.

- a. **Form of Company Name and Print Specifications.** Any use of Company's name in Marketing Materials and Program Materials must use Company's communicative name: [EDC]. GPM's use of Company's name shall comply with the requirements of [EDC] Corporate Identification Standards Guide, attached hereto as Schedule ____
- b. **Disclaimer.** Except where used to identify the Company's customers as eligible for GPC services or for purposes of general GPC Program description, use of the Company's name in any Marketing or Program Materials, by an GPM shall include, in legible print (or clearly state, in the case of Materials in an audio medium) the following disclaimer:

"The Green Power Choice (GPC) program is offered to all customers of [EDC Name]. [GPM Name] is a separate supplier approved by the New Jersey Board of Public Utilities to provide GPC services to customers of [EDC Name]. Any warranties for products and/or services are solely provided by [GPM Name]."

Examples of use of the Company's name not requiring the Disclaimer may include, but are not necessarily limited to:

- i. (GPM's) offer is now available to all [EDC NAME] customers
 - ii. [EDC] customers can now choose (GPM's) product
 - iii. (GPM) has been approved by the New Jersey Board of Public Utilities to offer GPC renewable energy products to [EDC] customers
 - iv. The GPC Program allows [EDC] to purchase renewable energy product offerings from GPC service suppliers for their homes and businesses, without switching from the local utility
- c. **Company Approval.** Prior to any broadcast, transmittal or release of Marketing Materials or Program Materials that contain Company's name to any person outside of GPM and its employees, contractors and/or agents working on such Materials, GPM shall: submit a copy of such Marketing or Program Materials to Company so that Company can ensure that such use of Company's name complies with the requirements of this Section 2; and obtain Company's written approval of such Marketing or Program Materials. Company's review of Marketing or Program Materials shall be in accordance with Paragraph 3, below.

3. **Company Review.** GPM shall submit a copy of each group of proposed Program and

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Marketing Materials that requires Company's review and approval to Company's Representative listed below in this Paragraph 3 at least six (6) business days prior to GPM's planned use of such group of Materials. Company shall either approve or reject, in writing, each group of Program and Marketing Materials no later than five (5) business days after receipt of such materials by Company's Representative. Program Materials may be hand-delivered or sent by over-night carrier to Company Representative at the address listed below or sent in electronic form to the e-mail address listed below (in which case receipt shall be the time that Company's Representative issues a confirming e-mail stating that he/she has received such transmittal). Prior to sending or transmitting any Program or Marketing Materials, GPM shall contact Company's Representative to alert him/her of such intended delivery or transmittal of Materials. Failure to obtain any required prior approval from Company for the use of Program or Marketing Materials may result in Company denying GPM use of Company's Logo and name in any subsequent Program or Marketing Materials.

Company Representative

Tel:

Alternate Representative
(In case of Co. Rep Absence)

Tel:

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B. OTHER INITIATIVES

The GPC Program shall include but not be limited to the following marketing/promotional initiatives, if applicable:

1. Press Releases. Company will participate in coordinating activities associated with periodic press releases concerning the GPC Program.
2. Web Site Information. Company will include GPC Program information on its Web site. Such information may include, but is not limited to: A GPC Program logo with link to the OCE Website which will provide; description of the GPC Program; Frequently Asked Questions about the GPC Program (FAQ) and responses to such FAQ; information concerning the GPM's product/service offerings as indicated on the Company provided bill insert and a link to GPM's Web site.
3. Enrollment Initiatives. Company shall include a biannual bill insert describing the GPC Program. The insert will include an enrollment panel. The enrollment panel may be returned to a distribution warehouse in the payment envelope provided with such bills. The distribution warehouse will forward any returned forms to the selected GPM. The timing of such inserts will be determined based on agreement of Company and the GPMs. Company will not include a GPC Program bill insert in a particular month, if its inclusion will result in additional postage costs.
4. Call Center Scripting. Company will work with OCE and other appropriate parties, i.e., the GPM to develop a standard utility call center script relating to the GPC Program. The script will provide general information regarding the GPC Program and will not endorse any GPM.
5. Newsletters. Company will include GPC Program information in its customer newsletters at least twice per year. The content of such information will be at the discretion of Company.
6. Public Events. Company may provide the GPMs access to Company-sponsored public events, at its discretion.
7. Conservation Programs. GPM may participate in conservation programs, subject to the ECMB approval process. GPC Program information will be available for distribution where general conservation information is displayed, provided that space is available for such GPC Program information.
8. Promotion to Employees. Company will provide GPC Program information to its employees in a manner determined by Company.

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APPENDIX C: SUPPLIER LICENSING

INTERIM GREEN POWER MARKETER LICENSING STANDARDS

1. GREEN POWER MARKETER CERTIFICATION APPLICATION PROCESS

(a) The Green Power Choice ('GPC') Program ('Program') will allow customers receiving Basic Generation Service ('BGS') under their Electric Distribution Company's ('EDC') applicable BGS tariff to select one among multiple certified Green Power Marketers ('GPM') and voluntarily pay a premium to match some or all of their electric use with Renewable Energy Certificates ('RECs'). The New Jersey Board of Public Utilities ('BPU' or 'Board') will conduct a single "open season enrollment" certification process under which it will certify GPMs who will participate in the Program. The certification process is set forth below, and all applicants who meet the qualification requirements set forth below and are issued a certificate by the Board will be eligible to participate in the Program. The Board will establish a deadline for the submission of certification applications, and a deadline for the completion of the certification process.

(b) Applications shall be made on forms provided by the Board

Application forms can be obtained at the Board of Public Utilities' offices in Newark, New Jersey; by writing to the Board at 2 gateway Center, Newark, New Jersey, 07102; by calling 973-648-2025 or through the BPU website at www.njin.net/njbpu.

ii. All applications must satisfy the requirements of Section 3, herein, and must be accompanied by an application fee of \$250, or as otherwise determined by the Board.

iii The Board will process all completed application requests and notify applicants of its determination within 60 days of the deadline date for submission of the application.

a) In cases where additional information is required from the applicant, the Board will so notify the applicant within 30 days of the date of the deadline date for application submission

b) The applicant shall provide all additional requested information within 15 days of such request.

(c) After processing by the Board and upon a determination by the Board that the applicant has met all the requirements in Section 3, the Board shall provide a notice of acceptance to the applicant. Upon payment of a certification fee the Board shall issue the applicant GPM certification. The certification fee for a GPM certification shall be \$1,000.

(d) GPM certifications shall be valid for a period coinciding with the duration of the Program.

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2. LICENSE RENEWALS

[Not applicable at this time]

3. GPM CERTIFICATION APPLICATION AND QUALIFICATION REQUIREMENTS

(a) Application shall include:

- 1) Legal name as well as the name under which the GPM proposes to do business in New Jersey;
- 2) Mailing and business address(es);
- 3) Telephone number(s), facsimile number(s), e-mail address(es) and Internet address(es);
- 4) Statement describing the company's history; evidence of knowledge of the energy industry in general, knowledge and experience specifically buying, selling and/or arranging the purchase/sale of wholesale power, retail electric power, or RECs, evidence of ability to perform required enrollment and billing procedures; and a company profile;
- 5) A list of specific REC-based products which the company plans to offer in New Jersey to residential, commercial and industrial customers;
 - a) A sample residential contract.
- 6) Evidence of financial integrity including:
 - a) Two years of income statements and balance sheets. If applicant has not been in business long enough to satisfy this requirement, it shall file:
 - i. Income statements and balance sheets covering the life of the business;
 - ii. A reference from a lending institution.
 - iii. A list of any bankruptcy filings made by the applicant, or any officer or director of the applicant, within the past 24 months
- 7) Statement disclosing any existing, pending or past adverse rulings, judgments, litigation, contingent liabilities, revocations of authority, administrative regulatory (State, FERC or SEC) investigations and any other matters relating to financial or operational status for the past 3 years that arise from the sale of electricity or natural gas, or materially affect current financial or operational status;
- 8) Ownership interests of the supplier;
- 9) Statements detailing any criminal activities of which the applicant has been charged or convicted, or of which the principal or corporate officers of the applicants have

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been charged or convicted;

- a) Applicant may be required to authorize a release of criminal history record information from the New Jersey State Police.
- 10) The name and address of the in-state agent of the supplier that is authorized to receive service of process and the name and address of the in-state customer service agent of the supplier per N.J.A.C. 14:4-2.6(d);
- 11) GPM requirements to maintain a surety bond is under review by the Board
- 12) Other information as the Board may, through Board Order, deem necessary.

4. **CONDITION FOR MAINTAINING A CERTIFICATION IN GOOD STANDING (N.J.A.C 14:4-2.6)**

- (a) A GPM must maintain an office within New Jersey, as defined by the Board, for the purposes of accepting service of process, maintaining such records as the Board requires and ensuring accessibility to the Board, consumers and electric and gas public utilities.

A GPM shall file with the Board a designation in writing of an agent, resident of this State, upon whom legal process and process for the production of any records, books, accounts, documents and other writings associated with the vendor's business within New Jersey may be served. Such designation shall set out the name of such agent and his or her places of residence and business.

- 2. Every GPM shall have a representative who will be accessible by phone on a timely basis, and in person when required, to the Board and its staff, and DCA and its staff. The duties of the vendor's representative shall include, but not be limited to, responding to inquiries, facilitating the resolution of billing problems, and assisting the Board and DCA in customer supplier related investigations.
 - a) Compliance with this provision is in addition to any rule, regulation or Board Order requiring the licensee to provide a toll free customer service number.
- 3. A GPM shall, at its New Jersey office, maintain summary records related to renewable energy certificate product contracts or transaction entered into with New Jersey customers or services provided by the supplier to New Jersey customers. Copies of all contracts or other writings authorizing the provision of service by the GPM to each of its New Jersey customers, subject to reasonable confidentiality requirements allowed under State and federal statute, or as determined by the Board Order, shall be made available for inspection by the Board upon 48 hours notice.
- 4. A GPM shall, at its New Jersey office, maintain for a period of three years, a record of customer complaints and the resolution thereof.
- 5. A hard copy printout and/or on-line access of all items required by (d)3 and 4 above,

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at the GPM's New Jersey office(s) from data bases located outside the State will meet the requirements of these subsections.

- (b) GPM requirements to maintain a surety bond or equivalent financial instrument is under review by the Board.
 - 1. The amount of the bond required in order to be granted a certification is under review by the Board.
- (c) The GPM must comply with such specific standards of conduct applicable to GPMs for consumer protection requirements, including slamming standards, as the Board shall adopt.
- (d) The licensee must provide the Board, six months after the effective date of its initial license, and thereafter in accordance with the Board's license renewal process, a listing of the number of residential customers it serves in the state, by Zip plus 4.
- (e) The licensee must agree to provide through legal certification by an officer of the GPM such information as the Board or its staff, or the Division of Consumer Affairs or its staff shall require to assist the agencies in undertaking an investigation of a complaint against the GPM or in making any determination concerning revocation, suspension issuance or renewal of the GPM's certification pursuant to Section 32 of P.L. 1999, c.32.

5 CONFIDENTIALITY

Except for sample contracts, product lists and marketing plans submitted as part of an application in accordance with Section 3 of these standards, all information provided as part of the GPM certification process shall be considered public information by the Board and Board Staff.

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APPENDIX D: CONSUMER DISCLOSURE RULES

Green Power Marketer Consumer Protection Standards

SECTION 1. GENERAL PROVISIONS

1 SCOPE

The following standards shall apply to all GPMs. Except where specifically addressing residential customers, the consumer protections contained herein shall pertain to all customers.

2. DEFINITIONS

3. ADVERTISING STANDARDS

- (a) All types of advertising. Any advertisement by a GPM that offers a REC-based product under the GPC Program shall not also include offers to customers for optional electric generation service or electric-related services, whether such advertisement is in electronic, print, radio or television media, or via telemarketing or an internet website. Upselling of additional services may only occur through direct marketing to customers that have already been enrolled by a GPM. Any advertisement of a REC-based product under the GPC Program shall clearly and conspicuously state that such product is optional and is provided at an additional charge above the price of BGS.

- (b) Electronic, radio and/or television advertising. A GPM shall include in its advertisements of a general nature, via electronic, radio and/or television medium, the following:

A toll-free or local telephone number which a customer may call to request detailed information concerning the product, including its additional price per kWh or cost and its environmental characteristics.; and

the EDC(s) in whose service territory(ies) the GPM is offering services.

4. MARKETING STANDARDS

- (a) In marketing materials provided by the GPM to residential customers for the purpose of persuading the customer to authorize an enrollment with the GPM for a REC-based product, whether such materials are in hardcopy form, electronically or via internet websites, the following, information must be provided:

The additional average price per kWh or monthly cost for the REC-based product over the term of a contract for the service being offered, exclusive of any charges for any optional services other than electric generation or gas supply service; and

- ii. The period of time over which the advertised price is valid; and

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- lii. The term (duration) of the contract for which the advertised price is being offered; and
- iv. The GPM's certification number;
- v. the EDC(s) in whose service territory(ies) the GPM is offering the advertised services; and
- iv. Other materials or information which may be required to comply with the Environmental Disclosure Standards.
 - a) The GPM shall comply with all FTC telemarketing rules, including the restriction on telemarketing between the hours of 9 pm and 8 am.
 - b) A GPM may not market to retail customers prior to its receipt from the Board of a GPM certification.
 - c) The GPM must clearly state in its solicitations to the customer, and in its marketing materials, whether in hardcopy, electronically or via internet website, that enrolling with a GPM is not mandatory, and the customer will remain with the EDC for basic generation service..
 - d) The GPM shall not represent that it can terminate any services from the EDC, including but not limited to, delivery of electricity.
 - e) The GPM shall not make misrepresentations, in its solicitations or its marketing materials or any way, in violation of any standards implemented by the Board pursuant to the Act, of any other consumer protection laws or rules implemented or enforced by the Division of Consumer Affairs, or of the mechanics of the customer enrollment process adopted by the Board.
 - f) The GPM shall not commit dishonesty, fraud or deceit.

5. PROHIBITION OF DISCRIMINATORY MARKETING

- (a) A GPM shall not make a decision to market to a customer or customer group, or to accept or reject a customer, based upon race, color, national origin, age, gender, religion, source of income, receipt of public benefits, family status, sexual preference, or geographic location.

Marketing to specific groups, such as housing associations, developments, senior citizens organizations, church/religious associations, and the like, shall not be considered discriminatory pursuant to this subsection or the Act.

- a) However, once a GPM has received applications from specific groups, the decision to accept or reject any customer or groups thereof, shall not be based upon race, color, national origin, age, gender, religion, source of income, receipt

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of public benefits, family status, sexual preference, or geographic location.

- ii. Marketing to specific EDC service territory(ies) shall not be considered discriminatory pursuant to this subsection or the Act. a. However, once a GPM has received applications from customers within a specific EDC service territory(ies), the decision to accept or reject any customer or groups thereof, shall not be based upon race, color, national origin, age, gender, religion, source of income, receipt of public benefits, family status, sexual preference, or geographic location.

6. CREDIT

- (a) Since consolidated billing for Program customers may be used, a GPM may consider a customer's utility bill arrearage record for purposes of making decisions whether to offer service to a customer within the same customer class. However, a GPM shall employ uniform income, arrearage, security deposit and credit requirement(s) for purposes of making decisions whether to offer service to a customer within the same customer class;
- (b) A GPM shall maintain a written explanation of its income, arrearage, security deposit and credit requirements, in compliance with the GPM Certification Standards, which shall be made available on a confidential basis to the Board and the Division of Consumer Affairs within 48 hours upon request, in the event of a formal investigation of the GPM's credit, arrearage or income requirement practices;
- (c) A GPM shall apply such income, arrearage, security deposit and credit requirements in a uniform manner for all customers for the same customer class.
- (d) In the event that a GPM requires a security deposit from a customer, such deposit must be maintained in an interest bearing escrow account by the GPM, and the customer must be provided a receipt. The EDC can not maintain a security deposit on behalf of a GPM in an interest bearing escrow account. If a GPM decides to require a security deposit from a customer, then the GPM must issue its own bill to such customers.)

7. CONTRACTS

- (a) A GPM shall not be permitted to provide a REC-based renewable energy product to a retail customer without the customer's written signature, electronic verification or such alternative forms of verification as the Board may permit to initiate such service(s), for switching GPMs or for renewal thereof;
- (b) A GPM contract shall clearly and conspicuously state that the purpose of the contract is to authorize a GPC enrollment with the GPM and will not result in an Electric Retail Choice generation switch from EDC-provided BGS. Explicit terms and conditions shall include, at a minimum:

a clear statement of the duration of the contract;

- ii. the additional price per kWh or, if a fixed pricing arrangement is not made, a clear

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and unambiguous statement of the precise mechanism or formula by which the additional price or monthly cost for the renewable energy product will be determined; if the contract contains no particular pricing terms, but rather, expresses the charges for service rendered on a percentage basis, the contract language must clearly and conspicuously state the additional percentage that will be charged, as well as the price or charges to which the percentage increase is being applied;

- iii. A complete list of any other fees, including but not limited to, early termination penalties, due date for payment, late payment fees and the number of days after which a late payment fee may be applied, and interest charges, which will or can be imposed on residential customers, including but not limited to the specific conditions under which such penalties and/or fees can be imposed.
- iv. A statement of the residential customer's rights, which shall provide that the customer will receive a confirmation notice of its choice of supplier and that, at a minimum, the customer will have 14 calendar days from the date of the confirmation notice to contact its EDC and rescind its selection. Furthermore, that a contract for a REC-based renewable energy product shall not be legally binding upon the residential customer until the 14 day confirmation period has expired, and the customer has not, directly or indirectly, rescinded his/her selection.
- v. A statement of the GPM's termination rights, which shall explain the specific conditions under which the GPM may terminate service, and that at a minimum the GPM provide the customer with at least a separate 30 days' written notice of the termination and opportunity to remedy the termination condition.

The GPM must provide electronic notification of the drop to the EDC at least 15 days prior to the customer's meter read.

- vi. No statement which asks that any customers waive any rights they have under New Jersey or federal Consumer Protection laws.
-
- (c) A GPM contract shall include the GPMs' local or toll-free telephone number, the EDC's emergency and toll-free customer service telephone numbers and the Board's Division of Customer Relations toll-free telephone number;
 - (d) A GPM contract must state that the customer should call the EDC in the event that an electric/gas-related emergency, such as a gas leak or power outage, exists;
 - (e) GPM may, with customer authorization in accordance with procedures as determined by the Board, obtain a customer's account number from the EDC for purposes of enrollment.
 - (e) A GPM contract shall explicitly permit a residential customer to terminate the contract, with 48 hour notice without penalty, as a result of a relocation within or outside the EDC's franchise area, disability and/or death;
 - (f) A GPM contract must clearly and conspicuously display the GPM' name and certification

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number issued by the Board;

- (g) In compliance with the Licensing Standards, a GPM shall file a sample copy of its residential contract(s) with the Secretary of the Board, with a copy provided to the Division of Consumer Affairs and the Division of Ratepayer Advocate on a confidential basis; the initial filing of the sample copy of GPM contract(s) shall include a consumer complaint resolution process; a GPM shall file a sample copy of subsequent revisions of its contract(s) with the Secretary of the Board, with a copy provided to the Division of Consumer Affairs and the Division of Ratepayer Advocate on a confidential basis, within three (3) business days;
- (h) In no event shall a GPM cease to provide the REC-based renewable energy product to a residential customer, subject to the terms and conditions of the contract and the EDC tariff, upon less than the minimum 30 days' notice period;
- (i) Where an affirmative written signature is not obtained for renewal of a residential REC-based renewable energy product contract under the Program, the existing contract shall continue on a month-to-month basis under the current terms and condition and pricing.

8. CUSTOMER BILLS

- (a) If a GPM chooses to issue a separate bill, the GPM's bills must be in clear and conspicuous language and include the name, address and local and/or toll-free telephone number of the Board and GPM and toll-free customer service and emergency telephone numbers of the EDC.
- (b) If a GPM chooses to issue a separate bill, the GPM's bills must contain sufficient information to allow customers, to calculate their bills which information shall include but not be limited to kWh or therm usage billing period which shall include the start and end dates, billing date, next estimated meter reading date, remaining balance and payment(s) applied.
- (c) A GPM or an EDC shall not charge a fee to residential customers to either commence and/or terminate service for a REC-based renewable energy product under the Program.
- (d) If optional services are provided and billed separately by the GPM, the associated charge(s) shall be itemized separately on the customer's bill.
- (e) The GPM and EDC's charges shall be separately identified on the bill if the customer chooses the one-bill option.

9. CUSTOMER INFORMATION

- (a) Customer information shall not be disclosed, sold or transferred to a third party without the affirmative written consent of the customer or alternative Board-approved consent methodology, except under certain conditions, e.g., a third-party performing services directly for a GPM under a binding confidentiality agreement.

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- (b) In the case of a transfer or sale of a GPM, customer consent shall not be required to transfer customer information to the subsequent owner of the business in order to maintain continuity of service.

10. COMPLAINTS

- (a) GPM shall use good faith efforts to respond to and resolve all complaints promptly.

If the GPM has been advised that the customer is not satisfied with the GPM's response, the GPM must advise the customer that customer can contact the Secretary of the Board, at 973-648-2065, to request an Alternate Dispute Resolution procedure or to file a formal complaint.

- (b) GPM shall maintain a record of the complaints received, how resolved, and still pending, for review by the Board upon request, with 3 days' notice.

11. TERMINATION

- (a) A GPM shall not terminate a residential contract due to non-payment in cases where charges are in dispute, provided undisputed charges are paid and the GPM and customer agree to resolve the disputed charges within 30 days of the time that a customer has notified the GPM that charges are in dispute.
- (b) A REC-based renewable energy product provided to a residential may be terminated for non-payment at the time of the next meter reading but with at least the minimum 30 days' written notice, which shall include a toll-free or local telephone number of the GPM and the Board, the effective date, the reason for the contractual termination, , and 15 to 30 days' notice to the EDC. GPM Service will automatically be terminated without notification by the GPM if the customer's basic generation service is terminated and the EDC ceases to provide consolidated billing.
- (c) GPM shall not terminate a separate or independent residential contract due to nonpayment of a non-residential contract.
- (d) GPM shall not terminate a residential contract for a REC-based renewable energy product under the Program for non-payment of another service.
- (e) The GPM must provide electronic notification of the drop to the EDC at least 15 days prior to the customer's meter read.

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APPENDIX E: GLOSSARY

The following words and terms, when used in this proposal, shall have the following meanings unless the context clearly indicates otherwise.

“Act” means the “Electric Discount and Energy Competition Act” (EDECA), N.J.S.A. 48:3-49 et. seq.

“Attribute” means the performance characteristics of a particular generation resource or unit of generation. The characteristics of renewables and other generating types (both positive and negative) include environmental, economic, and social characteristics. A renewable attribute refers to the characteristics of renewable generation.

“Bill Insert and Ballot Costs” means incremental production and mailing costs for bill inserts and ballots associated with the GPC Program as well as any additional postage costs, if applicable (e.g., if insert takes the bill over an ounce in weight).

“Basic Generation Service (BGS)” means electric generation service that is provided, pursuant to section 9 of the Act, to any customer that has not chosen an alternative electric power supplier, whether or not the customer has received offers as to competitive supply options, including, but not limited to, any customer that cannot obtain such service from an electric power supplier for any reason, including non-payment for services. Basic generation service is not a competitive service and shall be fully regulated by the Board.

“Block Product” means a renewable electricity product sold in a set kWh size, generally 100 kWh at a fixed price.

“Board” or “BPU” means the New Jersey Board of Public Utilities or any successor agency.

“CFR” means the Code of Federal Regulations.

“Class 1 New Jersey RPS Renewables” means the electric energy produced from solar technologies, photovoltaic technologies, wind energy, fuel cells powered by renewable fuels, geothermal technologies, wave or tidal action, and/or methane gas from landfills or a biomass facility, provided that the biomass is cultivated and harvested in a sustainable manner. Electricity generated from the combustion of biomass includes both the burning of captured methane gas derived from biomass, as well as the direct firing of biomass. A direct firing of biomass to generate electricity must document that the NJDEP provided a biomass sustainability determination for the biomass as set forth at N.J.A.C. 14:4-8.5(d).

“Consolidated Utility Billing” means a billing method in which the customer can make a single monthly payment to the utility to cover utility electric service and the renewable energy program cost. GPC charges appear as a separate line item on the *EDC* bill.

“Customer” means any person that is connected to any part of the transmission and distribution system within an *EDC* service territory within this State.

“Customer Information” means individual proprietary information.

“Customer Participation Rate” means the number of green power customers divided by total number of *EDC* customers which is a common metric for tracking program growth and effectiveness.

“Default Service” means the electricity service available to consumers who choose not to select an

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alternative electricity service provider.

“Distribution” means the low voltage system of power lines, poles, substations and transformers, directly connected to homes and businesses.

“Electronic Data Interchange (EDI)” means a protocol for the transfer of data between different companies using the Internet. EDI allows computer-to-computer exchange of business documents in a standard electronic format..

“EDI Costs ” means incremental EDI costs associated with the GPC Program to develop and support the electronic exchange of customer data (e.g. usage and billing, payment, enrollment, drop, etc.) between the EDC and the GPM, costs associated with EDI testing for GPM and the costs associated with the development of protocol for data exchange with EDC and GPM.

“Electric distribution company (EDC)” means an electric distribution company, responsible for distributing power to retail customers on behalf of electric power suppliers, a third party supplier which could be a green power marketer or a basic generation service provider.

“Electric generation service” means the provision of retail electric energy and capacity which is generated off-site from the location at which the consumption of such electric energy and capacity is metered for retail billing purposes, including agreements and arrangements related thereto.

“Electric power supplier”, see “TPS”, means a person or entity that is duly licensed pursuant to the provisions of the Act and pursuant to the Board’s licensing standards promulgated pursuant thereto, to offer and to assume the contractual and legal responsibility to provide electric generation service to retail customers, and includes load serving entities, marketers and brokers that offer or provide electric generation service to retail customers. The term excludes an electric public utility that provides electric generation service only as a basic generation service pursuant to section 9 of the Act.

“Electric related service” means a service that is directly related to the consumption of electricity by an end user, including, but not limited to, the installation of demand side management measures at the end user’s premises, the maintenance, repair or replacement of appliances, lighting, motors or other energy-consuming devices at the end user’s premises, and the provision of energy consumption management measurement and billing services.

“Electric Retail Choice” means the program to provide electric generation service to retail customers. as established as set forth at N.J.S.A. 48:3-49 et seq. and as defined as set forth at N.J.A.C. 14:4-1.

“Eligible Renewable Resources” means an electricity product that meets the New Jersey Class I RPS renewable definition or definitions for low impact hydro (LIH) or hydro smaller than 30 MW.

“FTC” means the Federal Trade Commission or its successor agency.

“Generation Attribute Tracking System (GATS)” means PJM-Environmental Information Services (EIS) Generation Attribute Tracking System (GATS) which will track and facilitate verification of Renewable Energy Certificates within the PJM power pool..

“Green-e” means the Green-e Renewable Electricity Certification Program, a certification and verification program for green power products, administered by the nonprofit organization Center for Resource Solutions.

“Green Power Choice Program”, “GPC”, or “Program” means the renewable energy subscription program offered to electric utility customers as a voluntary option that is supplied by one or more qualified

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third-party vendors without the need to switch to a third party electricity supplier, and does not interrupt the utility's electric service to the customer. The program is an add-on subscription to existing electricity service, and voluntary payments made by the customer support renewable energy through the purchase of a specific quantity of renewable energy certificates (RECs) that match a certain percentage of electricity usage. (Working Group Straw Proposal: NJBPU Clean Energy Program Voluntary Green Power Choice Program, June 2004)

"Green Power Marketer (GPM)" means third party supplier of renewable energy certificates.

"Individual Proprietary Information" or "Customer Information" means, but is not limited to, a customer's name, address, telephone number, electricity and/or gas usage, peak demand and payment history.

"Information Technology Costs" means incremental IT costs associated with developing and providing training with GPC Program for services that allow for consolidated utility billing for GPC customers as well as the design and implementation of IT solutions to serve GPC customers. IT costs may include the development and maintenance of website based content and information about the GPC Program.

"Line Item Billing" means a method of billing in which the renewable energy purchase appears on the customer's utility bill as a unique line item. EDC Consolidated Billing uses line-item billing for GPC charges.

"Marketing" means a direct solicitation by a GPM to an individual customer for the purpose of persuading a customer to enter into an agreement for the purchase of electric generation service, gas supply service, electric related service and/or gas related service, such direct solicitation to include direct mailings, telemarketing, internet websites and in person solicitation.

"New Jersey's Clean Energy Program Renewables" means the renewable generation sources eligible for the program include Class 1 New Jersey RPS Renewables and low impact hydro (LIHI) or small hydropower that is less than 30 MW.

"New Renewable Resources" means a New Jersey Clean Energy Program Renewable that comes from generation facilities in operation on or after January 1, 1998.

"Optional services" means services other than electric generation service and/or gas supply service.

"PJM" means the regional transmission organization (RTO) coordinating the movement of electricity in all or parts of Delaware, Illinois, Maryland, New Jersey, Ohio, Pennsylvania, Virginia, West Virginia and the District of Columbia. PJM, acting neutrally and independently, operates the largest competitive wholesale electricity market in the world. PJM manages a regional planning process for generation and transmission expansion to assure future electric reliability. PJM facilitates a collaborative stakeholder process. Stakeholders include participants that produce, buy, sell, move and regulate electricity. (<http://www.pjm.com/index.jsp>)

"PJM region" means the area within which the movement of wholesale electricity is coordinated by PJM Interconnection, as defined herein. ("PJM" stands for Pennsylvania-Jersey-Maryland.) The PJM region includes all or parts of Delaware, Maryland, New Jersey, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. The PJM region is described in the Amended and Restated Operating Agreement of PJM Interconnection which can be obtained on the PJM Interconnection website at www.pjm.com, or by writing to PJM Interconnection, Legal Department, 955 Jefferson Avenue, Norristown, PA, 19403.

"Program" means New Jersey Voluntary Green Power Choice Program

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“Program Launch” means Program launch, as defined by the notification of EDC customers about the availability of GPC program and the ability to enroll and bill GPC customers..

“Program Management Costs” means incremental Program management costs associated with development, administration and operation of the GPC Program including the incremental costs for personnel necessary to implement and manage the EDC’s operational role.

“Renewable Energy”: means energy from sources whose common characteristic is that they are non-depletable or naturally-replenishable, but flow-limited. Excluded are all fossil and nuclear fuels and electrical energy derived from these sources.

“Renewable Energy Certificate (REC)” means a bundle representing the attributes that does not include the actual electrical energy associated with the generation of electricity at a renewable energy facility. Also known as renewable energy credits, RECs, green tags, Tradable Renewable Certificates, TRCs, and T-RECS.

“Renewable Portfolio Standards (RPS)” means a requirement for a minimum amount of renewable energy (usually a percentage of supply) provided in any retail or wholesale product by each supply company .

“Retail sales” means the bundled service provided by the EDC.

“Societal Benefits Charge (SBC)” means a volumetric fee on electricity and natural gas usage to support energy efficiency, renewable energy and public benefit programs.

“Slamming” means the unauthorized change of a customer’s electric power supplier or gas supplier.

“Third-party Supplier (TPS)” means an electric power supplier or gas supplier as those terms are defined herein, or a person acting on behalf of such suppliers.

“Training Costs” means incremental training costs associated with developing and providing training associated with the GPC Program for call center and staff who support the program.

“Transmission and Distribution System” means any facility or equipment that is used for the transmission, distribution and/or delivery of electricity or gas to the end-use customers including, but not limited to, the land, structures, meters, lines, pipes, switches, valves and all other appurtenances thereof and thereto, owned or controlled by the electric or gas public utility, or EDC, respectively.

“True-Up Period”, or “Compliance Period”: means the time period allowed for GPMs to purchase RECs to meet their GPC Program customer obligation under the rules of that program.

“Verification” means a process for establishing that the primary attributes of an eligible renewable power resource were produced from the designated resource during the designated time period to meet sales. Verification may be by contract provision enforcement, by registration and audit, electronically by a generation attribute tracking system or by another standardized method.

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APPENDIX F: GPC BUSINESS PROCESSES AND PRACTICES

1 Principals

- 1.1 Unless specified, assume the Electric Retail Choice rules **also** apply to the Green Power Choice Program.

2 Definitions And Glossary

Appendix D lists all definitions for this Program.

3 Standards

This section details the business standards for the GPC Program.

GPM Information

- 3.1.1 GPM must sign a GPM Agreement / Billing Services Agreement with each *EDC* and adhere to all provisions, including credit requirements. A determination will need to be made if these agreements will be combined or will be separate documents.
- 3.1.2 GPM must pass EDI testing prior to sending an enrollment transaction. EDI testing will not be conducted until GPM has received a license from **state** of New Jersey and has signed contracts with the *EDC*.
- 3.1.3 GPM must set up a separate DUN+4. The *EDC* is not responsible for tracking product types, and therefore, each GPM may only have one DUNS+4 for each *EDC*.
All EDI transactions will be transmitted via the Internet using the same protocols as Electric Retail Choice. Using a Value-added-network (VAN) is not a valid option.

Customer Sign-Up

Bill insert will contain a business reply card, which will be returned to a statewide clearinghouse. It is expected that the bill insert will contain 4-panels (one fold), two panels of which are the business reply card.

The clearinghouse will process the cards and forward them directly to the specific GPMs.

The GPM is responsible for ensuring accuracy of data, complying with any customer notification requirements, and sending a valid enrollment to the *EDC*.

The *EDC* will not process any enrollments directly from the customer. Customers

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who call the *EDC* will be advised to call their GPM.

EDC will only answer general inquiries. Specific inquiries will be handled by the OCE Call Center.

Enrollment

- 3.3.1 The *EDCs* will not provide an eligible customer list.
- 3.3.2 Enrollments will be received via an 814 Enrollment transaction from the Green Power Marketer (GPM). Every enrollment request sent by a GPM will have a corresponding enrollment response from the *EDC*. The enrollment response will be either a rejection or an acceptance of the enrollment request.

- 3.3.3 Validation: As a general statement, the same validation criteria will be used for the GPC Program that is being used for Electric Retail Choice program. The following are listed as further clarifications.

- a. Account must be an active *EDC* account. All electric accounts eligible for Electric Retail Choice are eligible for the Green Program. Regardless of OCE marketing priorities, *EDCs* will process enrollments for both residential and non-residential eligible accounts.
- b. An enrollment with an invalid account number will be rejected. The GPM must obtain a valid account number from the customer. The *EDC* will not be responsible for looking up account numbers for GPMs.
- c. An enrollment with an invalid billing option (Bill-Ready v. Rate-Ready) will be rejected. Bill Options supported by each *EDC*:

EDC
Connectiv
JCP&L
PSE&G
Rockland Electric

Bill Options Supported
Dual Bill, Bill-Ready Utility Consolidated
Dual Bill, Bill-Ready Utility Consolidated
Dual Bill, Bill-Ready Utility Consolidated
Dual Bill, Rate-Ready Utility Consolidated

- d. Account has an active TPS or a pending active TPS. An enrollment for a GPM will be rejected with a code of REF*7G*CMP*CUSTOMER ENROLLED WITH ESP.
- e. Account has pending drop TPS. The enrollment will be processed, and if it passes all other validations, enrollment will proceed. Depending on the number of days until the schedule switch date, the customer may switch directly from TPS to GPM, or may have one bill cycle with BGS and no GPM.
- f. Account has an active GPM or a pending active GPM, and a TPS enrollment is received. This will follow Electric Retail Choice switching rules. The *EDC* will process the last enrollment. This means, if the enrollment passes all other validations, a switch to the TPS will occur. The *EDC* will send a drop transaction to the GPM.
- g. Account has pending drop GPM, and a TPS enrollment is received. The enrollment will be processed, and if it passes all other validations, enrollment will proceed. Depending on the number of days until the schedule switch date, the customer may switch directly from GPM to TPS, or may have one bill cycle with BGS and no GPM.

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- h. Account has a different active GPM. The enrollment will be processed, and if it passes all other validations, a switch will occur. The *EDC* will send a drop to the original active GPM.
- i. Account has a different pending active GPM. The enrollment will be processed, and if it passes all other validations, a switch will occur. The *EDC* will send a drop to the original pending active GPM. Depending on the number of days until the scheduled switch date, the original GPM may serve the customer for one bill cycle.
- j. Account has pending drop GPM. The enrollment will be processed, and if it passes all other validations, enrollment will proceed. Depending on the number of days until the schedule switch date, the customer may switch directly from one GPM to another GPM, or may have one bill cycle with no GPM.
- k. Account is not eligible for utility consolidated billing under the Electric Retail Choice rules: If GPM sends an *EDC* consolidated billing enrollment, it will be rejected.
- l. Account is part of USF program. Since the GPC Program is a value-added program rather than a vanilla service such as delivery and generation, the utilities have the right to reject a consolidated bill enrollment for a customer that is part of the USF program.
- m. If an enrollment for Electric Retail Choice generation is received for GPM DUNS+4, it will be rejected. ??reject code?
- n. A GPM is not allowed to be the Supplier Consolidated Billing Party.

Determination of start date: Accounts will always start on their meter read date. The start date will be determined by obtaining the first scheduled meter read date at least 20 days from the date the Enrollment 814 transaction is processed. The start date will always be the meter reading date of a bill period, and accounts will be made active as part of the billing process. The customer will have a 14-day period to reverse their enrollment decision. The *EDC* will honor any requests to reverse the decision within the 14 day period, and the *EDC* will not get involved in any disputes between a GPM and customer over contract language. If a decision is made to drop the GPM after the 14-day period, but prior to the switch becoming active, the drop will follow the 15-day drop rule. This means if there are more than 15 days until the switch date, the GPM will never serve the customer; otherwise, the GPM may serve the customer for one or more bill periods.

3.3.5 GPC Enrollment does not involve enrollment for "energy". As a result, the *EDC* does not need to provide PJM with any capacity or energy information for these customers. A customer that has a GPM will remain on BGS service.

There will be no provision to capture type of 'product' on the enrollment transaction. Reporting of that type of information is solely the responsibility of the GPM.

Content of EDI enrollment request: The 814 enrollment transaction is similar to an enrollment for Electric Retail Choice. There are two primary differences:

- a. The party sending the enrollment is identified by a different code on the N1 segment. The value of the N101 field will be "G7" rather than "SJ".
- b. The type of enrollment identified on the LIN segment is different. The value in the LIN05 field will be "RC" rather than "CE".

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Content of EDI Enrollment Response. The *EDCs* will send the same fields on an accepted enrollment response as are sent for an Electric Retail Choice generation enrollment response. The only differences will be the differences identified for the Enrollment Request (use of N1*G7 and LIN05=RC). The *EDC* may provide information that the GPM does not need, but the emphasis is on creating consistency between the Electric Retail Choice program and the GPC Program.

- 3.3.10 Enrollment Confirmation Letter. A confirmation letter will be sent by the *EDC* to the customer after a successful enrollment is processed. The letter will be similar to the Electric Retail Choice letters instructing the customer to call the *EDC* if any information in the letter is incorrect. No changes are needed to use the existing Electric Retail Choice enrollment confirmation letters for the GPC Program. GPM enrollment confirmation letters will be modeled after the Electric Retail Choice letters. Separate letters are required for dual billing and *EDC* consolidated billing.

Enrollment Reversal / Reinstatement

A customer may call to reverse an enrollment during the first 14 days after the enrollment was processed. An 814 Drop Request is sent from the *EDC* to the GPM. Content for 814 Reinstatement Request is the same as Electric Retail Choice, with the exceptions for the N101 and LIN05 values, as appropriate.

If the customer calls the GPM to reverse their decision within their rescission period, the GPM should instruct the customer to call the *EDC*. If a drop is received from the GPM, it will be treated as any other drop, and the 15 day drop rule will apply.

If an enrollment is reversed, the customer will be returned to their previous status. In addition, the following may occur:

- a. Customer has a previously active GPM or pending drop GPM: The *EDC* will send an 814 Reinstatement Request to the previously active GPM.
- b. Customer has a previously pending GPM: Customer will be reset to no GPM, no TPS.
- c. Customer was on BGS: Customer will be reset to be on BGS, no GPM, no TPS.

Drop From *EDC*

A drop transaction may be initiated by the *EDC* for several reasons:

- a. Customer calls *EDC* to drop GPM. This may be during rescission period or later, which would include when customer has active GPM.
- b. Enrollment received from different GPM
- c. Enrollment received from TPS
- d. Customer account is closed
- e. Customer enrolls in USF
- f. Customer is on *EDC* consolidated billing, and has accumulated arrears that meet or exceed aging requirements consistent with existing Electric Retail Choice rules. **Note:** *EDC* will drop customer rather than switch customer to dual billing as is done in Electric Retail Choice.

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If customer calls the *EDC* to drop the GPM, the drops will follow 15 day rule. The end date will be determined by obtaining the first scheduled meter read date at least 15 days from the date the drop is being processed. The end date will always be the meter reading date of a bill period, and accounts will be made inactive as part of the billing process.

A customer may call to reverse an enrollment during the first 14 days after the enrollment was processed. An 814 Drop Request is sent from the *EDC* to the GPM.

No drop confirmation letter is required to be sent to the customer when the customer account is closed or when the drop is the result of a new enrollment. If the customer moves, it is their responsibility to contact the GPM and provide their new account number so the GPM can enroll them.

If a customer on *EDC* consolidated billing has accumulated arrears that meet or exceed aging requirements consistent with existing Electric Retail Choice rules, the customer will be DROPPED by the *EDC*. Note: *EDC* will drop customer rather than switch customer to dual billing as is done in Electric Retail Choice.

- a. The *EDC* will send notification to the customer informing them a drop has or will occur as a result of arrears.
- b. The *EDC* will send drop to GPM.

Drop From GPM

A Drop Request transaction may be initiated by the GPM. When the *EDC* processes the drop transaction, the *EDC* will follow the 15 day drop rule. The end date will be determined by obtaining the first scheduled meter read date at least 15 days from the date the drop is being processed. The end date will always be the meter reading date of a bill period, and accounts will be made inactive as part of the billing process.

The GPM is responsible for sending a Drop Request transaction to the *EDC* when the contract between the customer and GPM is ending. The notification must follow the 15 day drop rule.

The *EDC* provides the estimated end date in the 814 Drop Response transaction.

3.7 Drop Confirmation Letter

A confirmation letter will be sent to the customer after a successful drop transaction is processed from the GPM. The letter will be similar to the Electric Retail Choice letters instructing the customer to call the *EDC* if any information in the letter is incorrect.

3.7.2 No changes are needed to existing TPS drop confirmation letters.

3.7.3 Specific content for the Drop Confirmation letters needs to be determined, but should be modeled after the Electric Retail Choice letters. There are separate letters for whether the *EDC* processed the drop or whether the GPM sent the drop to the *EDC*.

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3.8 Drop Reversal / Reinstatement

If the customer initially called the *EDC* to drop the GPM, the customer may reverse the drop. The customer must call the *EDC* to reverse a drop during the first 14 days after the drop was processed. A drop may not be reversed if it was sent from the GPM to the *EDC*.

An 814 Reinstatement Request is sent from the *EDC* to the GPM. The 814 Reinstatement Request includes the same fields as used by Electric Retail Choice.

The GPM must accept the Reinstatement Request transaction. If the GPM wants to drop the customer, the GPM must send an 814 Drop Request to the *EDC*.

3.9 Historical Usage Request

GPMs can send 814 Historical Usage Requests to the *EDC*. It is assumed the GPM has the customer's authorization.

3.9.2 The *EDC* will only honor a Historical Usage Request that is received via EDI.

3.9.3 The *EDC* will respond with an 814 Historical Usage Response, and as appropriate, with an 867 Historical Usage transaction.

The *EDC* will send the GPM the same format 867 Historical Usage transaction used in Electric Retail Choice.

3.10 Changes From GPM

3.10.1 GPMs can send 814 Change Request transactions to change the following information.

- a. GPM Account Number if *EDC* supports GPM account number
- b. Bill Option
- c. GPM Rate (if *EDC* supports Rate-Ready billing)

The *EDC* will respond with an 814 Change Response transaction, indicating acceptance or rejection of the transaction.

3.11 Changes From *EDC*

The *EDC* will send 814 Change Request transactions to an active or pending active GPM for the same items it is currently sending to TPSs in support of Electric Retail Choice.

3.12. Monthly / Interval Usage

3.12.1 The determination of whether the *EDC* sends an 867 Monthly Usage transaction or an 867 Interval Usage transaction will use the same criteria as is used in Electric Retail Choice.

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- 3.12.2 The 867 Monthly/Interval data will be sent from the *EDC* to the GPM during the billing process. The *EDCs* will send the same level of detail (same loops and units of measure) as would be sent for Electric Retail Choice.
- 3.12.3 The *EDCs* will send cancel / rebill information to the same level of detail (same loops and units of measure) as would be sent for Electric Retail Choice.

If the account is Bill-Ready, the *EDC* will send the due date for the 810 (DTM*649 segment).

3.13 Bill-Ready Invoice Information

- 3.13.1 The *EDC* will follow the same Bill-Ready Invoice 810 rules as it uses for Electric Retail Choice. This means the same number of charge/text lines will be accepted, the same loops (IT1 loop), and the same rules will apply to the SAC fields. For instance, PSE&G only accepts ADJ000 and GEN004 in the SAC04 field, while Conectiv only accepts ADJ002 and GEN004 in the SAC04 field.
- 3.13.2 Line-item text printed in the GPM section of the bill should come from the SAC15 of the GPM's transaction, not derived from any codes.
- 3.13.2 As in Electric Retail Choice, the GPM must imbed any applicable taxes within the charges being sent. GPM is responsible for payment of any taxes to applicable tax agency.
- 3.13.3 The *EDC* will use the same rules for Missed Bill Windows as used in Electric Retail Choice.
- 3.13.4 The *EDC* will use the same rules for Cancel / Rebill as used in Electric Retail Choice.
- 3.13.5 The *EDC* will respond to the 810 using an 824 in the same manner as is used in Electric Retail Choice.

3.14 Rate-Ready Invoice Information

- The *EDC* will follow the same Rate Ready Invoice 810 rules as it uses for Electric Retail Choice. This means the same types of charge calculations will be allowed, and the *EDC* will provide the same type of information on the 810 that is being provided today.
- 3.14.2 As in Electric Retail Choice, the GPM must imbed any applicable taxes within the rate provided to the *EDC*.
 - 3.14.3 The *EDC* will use the same rules for Cancel / Rebill as used in Electric Retail Choice.

3.15 Budget Billing

- 3.15.1 Per Electric Retail Choice, the *EDC* will not be required to include GPM charges as part of Budget Bill. For GPMs using *EDC* Consolidated Bill-Ready, the GPM is responsible for calculating a budget if desired. Rockland will consider GPM bill history when calculating budget bills.

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3.16 Bill Print Information

- 3.16.1 Each *EDCs* bill print may vary, depending on its bill design.
- 3.16.2 The *EDC* will print the same number of lines for GPMs as are made available to in Electric Retail Choice.
- 3.16.3 *EDC* will print the GPM phone number on the bill for billing inquiries.

3.17 Payment to GPM

- 3.17.1 Per Electric Retail Choice rules, the *EDC* will assume the receivables of the GPM undisputed charges. Payment for all charges placed on the bill will be made by the 5th day from the due date of the bill or as is consistent with each *EDC's* CAS Settlement.
- 3.17.2 Per Electric Retail Choice rules, the *EDC* has discretion on whether disputed GPM charges are removed from the customer's GPM balance.
- 3.17.3 Per Electric Retail Choice rules, the *EDC* may choose to pay via check, ACH, or an 820 transaction. *EDCs* will use the same payment method as in Electric Retail Choice.
- 3.17.4 Per Electric Retail Choice rules, the *EDC* has the right to drop the customer for non-payment if there are arrears that meet or exceed Electric Retail Choice aging requirements.
- 3.17.5 *EDC* will recover uncollectible costs associated with having GPM charges on the *EDC* bill, consistent with recovery of other electric charges.
- 3.17.6 The *EDC* will notify the GPM of remittance information for each specific account via an 820 transaction. There are no changes to the format of the 820 transaction since the N1 segments are identified as Payer (N101 = PR) and Payee (N101 = PE).
- 3.17.7 The handling of negative 820s will be done consistent with other Electric Retail Choice rules.
- 3.17.8 Per Electric Retail Choice rules since the *EDC* is assuming receivables, the *EDC* can consider the GPM charges as part of the monies owed that facilitate a turn-off for non-payment.

3.18 New Jersey BPU Reporting

- 3.18.1 The *EDC* shall provide the BPU with a monthly report of number of customers that have GPMs.
- 3.18.2 The GPM shall provide the BPU with all information required for reporting, such as usage of their customers.
- 3.18.3 The BPU or its designee shall be responsible for verifying the REC Trading has occurred. The BPU or its designee shall obtain that information from the GPMs.

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APPENDIX G: GPC TECHNICAL STANDARDS

GPC business processes and practices assume the use of existing Electric Retail Choice technical standards unless noted. This technical section focuses on the differences between the Electric Retail Choice technical standards and the noted Green Power Choice technical standards.

4.0. General Technical

4.0.1 Global differences in the 814 transactions as compared to the Electric Retail Choice transactions:

- a. GPM N101 will be "G7" to indicate the GPM rather than "SJ" to indicate a TPS.
- b. LIN05 will be "RC" rather than "CE".

4.0.2 Global differences in the 867, 824, and 810 transactions as compared to the Electric Retail Choice transactions:

- a. N101 will be "G7" to indicate the GPM rather than "SJ" to indicate a TPS.

Summary of GPC Transaction Changes

Transaction	N1=G7	LIN05=RC	New Rej 7G	Other
814 Enroll Req	Yes	Yes		
814 Enroll Resp	Yes	Yes	CMP	
814 GPM Drop Req	Yes	Yes		
814 GPM Drop Resp	Yes	Yes		
814 <i>EDC</i> Drop Req	Yes	Yes		
814 <i>EDC</i> Drop Resp	Yes	Yes		
814 GPM Change Req	Yes	Yes		
814 GPM Change Resp	Yes	Yes		
814 <i>EDC</i> Change Req	Yes	Yes		
814 <i>EDC</i> Change Resp	Yes	Yes		
814 Reinstate Req	Yes	Yes		
814 Reinstate Resp	Yes	Yes		
814 Historical Usage Req	Yes	Yes		
814 Historical Usage Resp	Yes	Yes		
867 Historical Usage	Yes			
867 Monthly Usage	Yes			
810 Rate-Ready	Yes			
810 Bill-Ready	Yes			
820 Payment				
824 App Advice	Yes			

4.1. Enrollment Transactions

Per 4.0.1, GPM N101 = "G7"; LIN05 = "RC".

The party sending the enrollment is identified by a different code on the N1 segment. The value of the N101 field will be "G7" rather than "SJ". (X12 "G7" means "Entity Providing the Service".)

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- 4.1.3 The type of enrollment identified on the LIN segment is different. The value in the LIN05 field will be "RC" rather than "CE". X12 does not define values for the LIN05, there is nothing in UIG either. "RC" stands for "Renewable Energy Certificate".
- 4.1.2 Since customer can not have TPS and GPM concurrently, there is no need to identify a separate account number for the GPM. REF*11 segment will be used for GPM account number.
- 4.1.3 There may only ever be one GPM per customer account; therefore, participating interest will always be 1 (AMT*7N*1). Enrollment will be rejected if it is any value other than 1.
- Determination of whether GPM will receive the 867 Monthly Usage or the 867 Interval Usage will follow the same criteria as Electric Retail Choice.
- 4.1.5 An Enrollment Request for a GPM Account that has an active TPS or a pending active TPS will be rejected with a code of REF*7G*CMP*CUSTOMER ENROLLED WITH ESP.

4.1.6 Sample GPM Bill-Ready Enrollment Request transaction:

BGN*13*200404011956531*20040401	Request, unique transaction identification number, transaction creation date
N1*8S*EDC COMPANY*1*007909411**40	EDC Name, EDC DUNS information, receiver
N1*G7*GPM COMPANY*9*007909422ESP1**41	GPM Name, GPM DUNS information, submitter
N1*8R*CUSTOMER NAME	Customer Name
LIN*CE2004123100002*SH*EL*SH*RC	Unique transaction reference number, enrollment request for electric Renewable Energy Certificates
ASI*7*021	Request for addition
REF*11*2348400586	GPM Account Number
REF*12*123456799991	EDC Account Number
REF*BLT*EDC	EDC consolidates the EDC and GPM charges
REF*PC*DUAL	Each party calculates its own charges (Bill-Ready)
DTM*129*20040401*1430*ET	Date/time/zone customer agreed to obtain service from the GPM Service Provider
AMT*7N*1	Participating interest:

Drop Transactions

Per 4.0.1, GPM N101 = "G7"; LIN05 = "RC".

Sample GPM Drop Request transaction:

BGN*13*20040401195653001*20040401	BGN segment indicating this is a Request transaction
N1*8S*EDC COMPANY*1*007909411**41	EDC Name and DUNS information
N1*G7*GPM COMPANY*9*007909422GPM1**40	GPM Name and DUNS information
N1*8R*CUSTOMER NAME	Customer Name
LIN*DROP200404010001*SH*EL*SH*RC	Transaction reference number, indication that the transaction is for Electric Renewable Energy Certificates
ASI*F*024	Request for Final Drop
REF*1P*EB3*WITHDRAWN	Reason for drop is customer reversed decision
REF*11*2348400586	GPM Account Number
REF*12*123456799991	EDC Account Number
DTM*151*20050415	Estimated drop date is 4/15/2005

Sample GPM Drop Request transaction for a reversal:

BGN*13*20040401195653001*20040401	BGN segment indicating this is a Request transaction
N1*8S*EDC COMPANY*1*007909411**41	EDC Name and DUNS information

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N1*G7*GPM COMPANY*9*007909422GPM1**40	GPM Name and DUNS information
N1*8R*CUSTOMER NAME	Customer Name
N1*FE*CUSTOMER NAME	Optional forwarding address for customer who moved
N3*4251 S ELECTRIC STREET*MS 25	Optional forwarding address for customer who moved
N4*ANYTOWN*PA*18111	Optional forwarding address for customer who moved
PER*IC**TE*8005551212	Optional forwarding telephone number for customer who moved
LIN*DROP200404010001*SH*EL*SH*RC	Transaction reference number, indication that the transaction is for Electric Renewable Energy Certificates
ASI*F*024	Request for Final Drop
REF*1P*020*CUSTOMER MOVED	Reason for drop is customer reversed decision
REF*11*2348400586	GPM Account Number
REF*12*123456799991	EDC Account Number
DTM*151*20050415	Estimated drop date is 4/15/2005

Sample 814 Drop Request transaction for account with expired contract:

BGN*13*19990401195653001*19990401	BGN segment indicating this is a Request transaction
N1*8S*EDC COMPANY*1*007909411**40	EDC Name and DUNS information
N1*G7*GPM COMPANY*9*007909422GPM1**41	GPM Name and DUNS information
N1*8R*CUSTOMER NAME	Customer Name
LIN*DROP1999040100011*SH*EL*SH*RC	Transaction reference number, indication that the transaction is for Electric Renewable Energy Certificates
ASI*F*024	Request for Final Drop
REF*1P*CCE*CONTRACT EXPIRED	Customer Contract with GPM Expired
REF*11*2348400586	GPM Account Number
REF*12*123456799991	EDC Account Number

4.3 Change Transactions

4.3.1 Per 4.0.1, GPM N101 = "G7"; LIN05 = "RC".

Reversal / Reinstatement Transactions

4.4.1 Per 4.0.1, GPM N101 = "G7"; LIN05 = "RC".

Historical Usage Transactions

4.5 Per 4.0.1, Historical Usage Request/Response transactions have GPM N101 = "G7" LIN05 = "RC".

Per 4.0.2, Historical Usage 867 transactions have GPM N101 = "G7".

4.5.3 Sample 814 Historical Usage Request transaction:

BGN*13*200404011956544*20040401	Request, unique transaction identification number, transaction creation date
N1*8S*EDC COMPANY*1*007909411**40	EDC Name, EDC DUNS information, receiver
N1*G7*GPM COMPANY*9*007909422GPM1**41	GPM Name, GPM DUNS information, submitter
N1*8R*CUSTOMER NAME	Customer Name
LIN*HU2004123100004*SH*EL*SH*HU	Unique transaction reference number, request for electric Historical Usage
ASI*7*029	Request for inquiry
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5.0 Technical Certification Requirements

GPC Program technical certification mirrors the testing and certification done in the Electric Retail Choice program. This section will be developed collaboratively with *EDCs*, *GPMs*, *OCE* and the BPU EDI consultant.

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APPENDIX H: GPC IMPLEMENTATION TIMELINES

The OCE believes that a 10/1/2005 implementation of the GPC program should be established with provisions for phased-in implementation based on *EDC* readiness. Based on a February Board Order, this would allow each *EDC* approximately 8 months to implement their systems based on a January expenditure approval and a February Board Order.

The following estimates are for the baseline implementation, and exclude key provisions such as Account Number lookup and Customer Seamless Move. OCE recommends that these provisions be delayed for 12 months following GPC program implementation and launch.

Key milestones identified for GPC include:

Milestone	Description	Date / Target Date
GPC v1 Board Order Issued	The date the Board issues the Order to implement the initial implementation of the GPC Program.	March 24, 2005
Go Live Date Set	The date the <i>EDCs</i> confirm their GPC implementation date to the OCE.	
Definition of Services Approved	The date the Board Order approving the definition of services eligible for cost recovery.	March 24, 2005
Marketing Program Ready	The date the marketing program is finalized and ready for execution.	Tbd
GPC Call Center Ready	The date a contract has been signed to establish and operate a GPC Customer Call Center.	Tbd
Clearinghouse Ready	The date a contract has been signed to establish and operation a GPC Clearinghouse able to receive and process customer subscription cards.	
Licensing Program Ready	The date the licensing program for GPMs is complete, including process and	

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	agreements.	
Agreements Finalized	The date the <i>EDC/GPM</i> agreements are finalized and ready for execution.	
2005 GPMs licensed	The date that GPMs for the initial implementation of GPC are licensed.	
External Testing Begins	The date that 2005 GPMs begin testing with <i>EDCs</i> .	
Enrollments Begin	The date that GPMs are able to send enrollments.	Tbd
GPC Program Launch Date	The date that EDCs are able to enroll and bill customers for the GPC-Program.	October 1, 2005
2006 GPMs licensed	The date that GPMs for the second implementation of GPC are licensed	
GPC v2 Design Complete	The date that program design proposals for Seamless Move and Account Number lookup are finished.	
GPC v2 Board Order Issued	The date the Board issues the Order to implement the second implementation of the GPC Program.	